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### SUMMARY OF NEWS.

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#### Politics of Europe.

*London, Monday, June 17, 1822.*—We have received, in ordinary course, Paris Papers of Wednesday and Thursday, and by express those of Friday. The two latter sets contain little intelligence of interest; and one of the chief articles in the former—we mean the answer of the KING to the address of the Chamber of Deputies—we noticed in our publication of Saturday. The JOURNAL DES DEBATS of Thursday states that a total change has taken place in the Neapolitan cabinet, and that the new ministers were the Chevalier MEDICI, Prince SCALETTA, Prince CURDITO, M. TOMASI, and the Commander RUFFO, for the departments of finance, war, the interior, justice, and foreign affairs, respectively. Any change in the administration of a country occupied like that of Naples by foreign troops, is of course a change at the dictation or with the consent of the invader, and probably for his exclusive benefit. MEDICI, we know, is regarded as an able man, and an enlightened minister; but his talents and his skill must now in the first instance be directed, not to stimulate the industry and improve the resources of his own country by diminishing its burdens and abbreviating its revenue, but to feed the army and replenish the military chest of Austria. What use his Neapolitan Majesty can have for any other Minister of Foreign Affairs but Prince METTERNICH, we are at a loss to conjecture; and therefore think that in these times of difficulty, this insecure place in the Neapolitan cabinet might be abolished, to use a phrase common with us in speaking of such things, “without any detriment to the public service.” In the papers of Wednesday we have a report of the speech of the French Minister of Finance in the Chamber of Deputies, on presenting the estimates of the income and expenditure of the ensuing year. The conveniency of presenting such estimates constituted the chief if not the sole reason of the ministry for commencing a new session at so unusual a period for the transaction of public business, and after so short a respite from the labours and agitation of the last. The Budget will, therefore, be the only subject of deliberation introduced by ministers; and even making allowance for all the opposition which can be offered to particular parts of it, and for all the incidental discussions which may arise on petitions, the sacrifice of time and repose required of the deputies during the dog-days cannot be very formidable or oppressive. The statement of the revenue and expenditure of France, or of its financial operations, is complete to the end of the year 1821, and estimates are given for the present and following years. It being the plan usually pursued, in French finance, to present at the commencement of each year, the settled accounts of the income and expenditure of the year immediately preceding that which has elapsed, and the estimates of the year immediately following that which has commenced, by meeting this year in June, and by being enabled to present the former up to the end of the year 1821 with only the latter of 1823, the Chambers are a session in advance of their accounts, and in arrear of their estimates. Thus, had they met in January, 1822, they would have received the accounts up to January, 1821, and voted the estimates of 1823. The present short session will enable them in January next to resume their former practice. The estimated revenue of France for 1823 amounts to 909,130,783 francs, or 36,365,231L.; the estimated expenditure to 900,475,503 francs, or 36,019,011L.; and this latter

estimate includes the interest of her debt, which amounts only to 228,724,260 francs, or 9,148,970L. Thus the taxes collected in France, a country with double the resources and population of Great Britain, do not exceed two-thirds of ours; the whole of her expenditure does not amount to the dividends on our debt; and her debt, though the vanquished party, does not amount to a fourth part of ours, the most of which was incurred in the conquest. The following are some of the chief the expenditure is composed;—

The civil list,.....	34,000,000f.
The department of public justice (exceeding the charge of 1822 by 547, 346f.).....	18,451,845f.
The ministry of the interior (being a saving of 403,800f. compared with 1822)......	113,420,000f.

The credit demanded for the service of the department of war is 1,89,940,000f., exceeding that of 1822 by 2,637,474f.; the ministry of marine, an excess of 3,000,000f. over that of 1822. Then follow the estimates for the Chambers of Peers and Deputies, the public Treasury, the Mint, &c. making a total estimate of expenditure, as stated above, of 900,475,503f. To meet this, the ways and means, stated with great minuteness, are estimated, according to their produce in 1821 (that of 1822 not being yet known), at the sum of 909,130,783f., being an excess of income over the expenditure of 8,655,280f. The Minister concluded with presenting two bills or projects of law founded on his estimates.

At the conclusion of the Minister's speech, when it was proposed that projects of law should be printed, General FOX demanded to be heard, and moved that the particulars of the estimates be presented to the Chamber, as well as to the commission nominated for their investigation. The General stated nearly the same reasons as were urged by Mr. HUME for producing more particular returns than the Government were disposed to grant, and was met by a similar answer; but we hope he has learned from the success of the example which he follows, that persevering efforts to serve the public, though at first discountenanced and overpowered, will at last prevail to a certain extent, when aided by public opinion, against the most corrupt ministry, and the most confounding legislature. We have only one remark more to make on the important, though by no means novel, statement of the French Finance Minister. While some senseless wretches among us can propose, at a public meeting, to pay the debts of the state as they do their own—by using the sponge—we find that France, under the BOURBONS, sets aside funds for defraying those obligations which were contracted, not only under a different Government, but a Government at war with the present—obligations, too, some of which, though contracted, were disallowed by the Usurper.

*Madrid Papers.*—We have received Madrid papers and letters of the 7th inst.; and we find in both intelligence of considerable importance relative to the internal state of Spain, and the proceedings of its legislative assembly. On Saturday we anticipated a portion of it, which we now see more fully developed—namely, the insurrection at Valencia, and the decision respecting the late loan, a few details of which will, however, be still read with interest. The despatch from the Political Chief of Valencia, to which we referred in our last, was read in the sitting of the Cortes of the 4th instant, by the Minister of the Interior, when

one of the deputies (Senor SALVY) stood up and declared his conviction, either that the Government was ignorant of the real state of matters, or that they designed to mislead the assembly. The Political Chief of Valencia, he said, was informed on the 28th ult. that a design was formed to rescue Elío from prison, and place him at the head of the insurgent adversaries of constitutional order. The gang of conspirators had assembled in a house to concert their plots, and the Political Chief, though informed of their meeting and their objects, could not be prevailed upon to arrest their persons, and thus frustrate their designs. The deputy therefore ascribed the overthrow of the conspiracy to the vigilant patriotism of the citizens, rather than to the becoming precautions of the civil or military authorities; and gave a version of the transaction differently coloured from the official despatch, in which, according to his opinion, too little credit is given to the spontaneous and meritorious exertions of the people. He adds, as a fact on which he placed implicit reliance, that Elío had paid with the forfeit of his life the madness of his partisans, and had become the victim of popular vengeance at the moment when it was intended to make him the instrument of counter-revolutionary violence. This statement we find, however, contradicted in a subsequent paper. The orator concluded by moving, that the Ministers be desired to attend during that sitting, in order to enter into explanations respecting the events that had taken place at Aranjuez as well as Valencia, and of the state of the negotiations with France. In a subsequent period of the sitting, the Minister of the Interior was present, and entered into a statement on three topics, on which information was required. With respect to the relations of Spain and France, he said that the Government had taken the steps necessary to maintain the interest and dignity of the nation. A variety of facts, in themselves unimportant, but manifesting, when combined and repeated, a suspicious spirit in the French Government, rendered it necessary for Spain to make strong remonstrances to that Government on the conduct of the emigrants. If the French authorities had not intended their favours to these persons beyond the mere protection of their lives, there could have been no ground of complaint; but when, from the secure asylum granted them on an allied frontier territory, they were permitted to plot against the tranquillity of the country from which they have fled, the Spanish Government ordered its Ambassador at Paris to demand in the most energetic manner a repression of this abuse. The last note from the Spanish Government to the French on this subject was dated the 16th of May, and an answer was returned on the 23d. That answer stated that the French Government had given the necessary instructions with regard to the admission of Spanish emigrants. A debate of importance ensued on the communication of the minister. Senor SALVA repeated his former observations respecting the conduct of the authorities at Valencia, and extended them to the recent transaction in Catalonia. He was followed by another deputy (Senor MARAU), who charged the ministers with supineness in their conduct, and ignorance of the real state of the country. Senor BELTRAN DE LIS, the next speaker, went farther, and declared that "when he saw the obstinate adherence of Ministers to their plans of lenity towards the insurgents, and the character of the leaders of these insurgents, he was compelled to implicate the Secretary of War in their treasonable designs." When called to order by the President, this orator, in the vehemence of his unbridled ardour, cried out that he was aware of the force of his expressions, that he accused the Ministers of War of the bloodshed at Valencia, that that blood weighed heavy on his heart, and that in return he demanded the blood of the obnoxious Minister. This violence, which is rare in the Cortes, displeased the majority of the assembly. The Minister said in reply, that the Deputies were inviolable for their opinions, but not for their calumnies; and that he gave the lie to his calumniator.

We mentioned on Saturday the result of the discussions on the loan. We find them continued from the 2d to the 7th instant. On the 4th the Minister of Finance commenced the debate by stating, that the subject naturally divided itself into two great questions—the legality of the loan, and its expediency.

On the first, he maintained there could be no doubt; its legality was demonstrable, and the annulment of the contract could not be pronounced, if it was proved to be made with wisdom and economy. It had been well said, that the Cortes and not the Ministry, were one of the contracting parties, and that the Cortes are the representatives of the Spanish people, who had thus entered into an engagement with a foreign house. So much is this the case, that if the Cortes were to refuse to acknowledge the contract, the contractors could maintain an action against the nation before the judicial power. The Minister examined the subject in great detail, exposed the arguments of previous speakers, and employed some powerful reasoning against any refusing to ratify or attempting to alter the terms of the contract. We have not room for even an outline of the discussions which took place on the 5th and 6th inst., but shall close by an extract from a private letter dated the 7th inst., in which we have a summary of the concluding debate as it occurred on that day.

*Madrid, June 7.*—After much discussion, in which the old arguments, *pro* and *con*, were repeated, the propositions of certain members of the committee who formed the minority were read. These propositions embraced four articles:—1. Disapprobation of the loan. 2. Re-payment of the money borrowed. 3. Authority to enter into a new loan. 4. A reference of the affair to the commission sitting on the infraction of the constitution. These were rejected by a great majority. The Secretary of State read the former proposition of Senors Canga and Adan, which these members had nearly altered to the following terms:—That this affair be referred to the Government to procure the consent of the foreign contracting houses to those modifications of the loan which shall be judged most favourable to the interests of the nation, after which it shall be submitted to the approbation of the Cortes. Some difficulty arose upon the putting this question, which was overcome by the following question, from the president: 'Shall I ask the Cortes whether they will vote without discussion the proposition of Senors Canga and Adan?' The Cortes answered in the affirmative. 'Will the Cortes vote the proposition without discussion?' The same answer was returned. 'Is, then, this proposition adopted?' The same answer was pronounced almost unanimously. The opposite party, seeing themselves thus vanquished, attempted another manœuvre. They read a proposition of Senor Isturiz, the port of which was the following:—"That the Cortes, by the vote to which they have come, do not intend to give their approbation to the loan of Nov. 22, 1821." The question was put, and this proposition was negative almost unanimously.

*Death of the Marquis of Hertford.*—Yesterday morning, (June 17) at a quarter past three o'clock, died at his house in Manchester-square, the Most Honorable Francis Ingram Seymour Conway, Marquis and Earl of Hertford, K. G. Earl of Yarmouth, Viscount Beauchamp, Baron of Ragley, of Conway, and of Killultagh, late Lord High Chamberlain of the King's Household, and Lord Lieutenant and Custos Rotundorum of Warwickshire and Antrim. He was born in 1743, and was 79 years of age. He had been in a declining state of health for upwards of two years; but within the last ten days the decay had been rapid; latterly his memory appeared to be wholly gone. The present Marquis succeeds to the vast wealth as well as the titles of the deceased. The entailed estates are estimated at little short of 90,000*l.* per annum.

*Dandies.*—The Dandies complain much of the hot weather; they say it prevents the whiskers sticking to their cheeks. They complain also that it makes their stays uncomfortable.

*A Hard Case.*—Some days ago, a private of the 88th, quartered in this town, requested his commanding officer to obtain him permission to change in the 44th Regiment now embarking for India.—On being asked his motive for this singular wish, he replied, it was from no dislike to the regiment or his comrades, or his officers, and least of all to his Honour, nor from any partiality to the 44th, or to India,—"but the truth is, I am married, and as I hear my wife is coming to join, I would fain be off first."—*Caran Herald.*

Friday, November 15, 1822.

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Late American Papers.

FROM THE MANUFACTURERS' AND FARMERS' JOURNAL.

*Providence, Thursday, July 11; 1822.*—We have been informed, by those on whose statements implicit reliance may be placed, that no less than *eighty* failures have taken place in the city of Boston alone, during the present depression of money credit. This number includes not merely those imprudent and extravagant men of business, who, without capital or conduct, are *expected* to fail, on the recurrence of difficult times, but houses of long standing, of established credit, prudent and cautious in their dealings, and who have generally been supposed to be rich.

In some other commercial cities, failures to a considerable extent have taken place, but in none to a number or amount to be compared with those of Boston.

In Providence, we have heard of only *one* failure—that of a retail grocer, of limited business.

Why is it that Boston has fared so hardly at the present time? Is it not because she is the grand emporium of British Goods, imported to an amount beyond the ability of the country to pay for? Have not her merchant importers sold their goods, on long credits, to country dealers, who have distributed them among the people, also on credit? Have not the people failed of payment to the retailer; the retailer to the importer; and has not the importer, thus suffering, been compelled either to stop remittances, or to sacrifice extravagantly, in order to maintain his credit with his English and Scotch correspondents? Those who did the first, and suffered the loss to fall on those who have been gainers by the trade between the two nations; cannot be blamed. They knew they were insolvent, and were unwilling to draw their personal friends and fellow citizens into the vortex of their ruin. Those who did the last, in order to keep moving to the last; sacrificed goods and lands, sold their own and their friends notes at a great discount, drew accommodation bills, and negotiated them, and drew again, to meet them as often as they came round, with their accumulations of interest, brokerage, premiums, postages, &c. &c.—what have they to say in extenuation of their own conduct? They, also, must have known that they were insolvent; but instead of acting the honest part, they have involved in their own ruin, as many of their friends as were willing to assist them. Thus have some houses, who had no concern in the importation of foreign goods, been stripped of property, in the acquisition of which they had spent many years of honest and patient industry, and compelled to declare themselves bankrupt.

Some have imputed these extensive failures to the stoppage of the eastern banks—that stoppage is an effect of more remote events. Had the eastern people bought no more imported goods in Boston, than their lumber and fish, sent to the southern states or West-Indies, would have paid for, in groceries for the Boston market, or in exchange, the eastern banks would not have made such extensive issues of paper—more moderate issue would not have needed the adventitious aid of Boston, to keep up its credit. The banks would have been spared the expense of purchasing large quantities of specie, and of negotiating bills of exchange. They would have suffered no losses from their debtors, and would have been able to meet all their engagements. It was the duty of these banks, to have checked extravagance, by curtailing their own issues of paper, and their loans to individuals. The appearance of business and bustle which ensues, upon an extravagant importation, is deceptive and unprofitable. It must inevitably be followed by a reverse. When, for instance, the traders of a small town have been at Boston, and purchased more goods than their customers can buy and pay for, they may, indeed, be obliged to employ more men than usual, perhaps to build additional shops; but no sooner does the time of remittance arrive, than the inability of the people, and the consequent inability of the traders, to pay the Boston merchants, produce an entire change of scene. The bustle of the village is hushed, the new, and perhaps some of the old shops are abandoned and suffered to go to decay, and every thing wears a gloomy aspect. At no distant day, the notes of the traders are sent to the village attorney for collection, and the traders are obliged to call upon the farmers in the same way. If both traders and farmers are honest, they pay to the extent of their ability, and the importer loses the rest. Or, supposing the goods to be bought, in the first instance, with bank-notes, which have been issued by the banks, on loans to the traders.—The banks call upon the traders, and the traders upon their customers; all are unable to pay, and the effects of the failure, in this instance, are the same as those we have formerly mentioned.

Why is it, that Providence and the adjacent regions of Rhode-Island, Massachusetts, and Connecticut have, hitherto, suffered nothing of the depression which the importing districts have felt? Because they export a greater amount of manufactured goods and raw materials than the import. The traders are not put to their wits' ends, to make up remittances under an unfavourable exchange. The banks are not obliged to buy specie, with which to meet the payment of notes—they transact business

on a smaller specie basis than those of any other section of the country, because they have not, by extravagant issues of notes suffered their credit to be questioned. They would, probably, as they did in years past, control their loans and issues of notes, on the first manifestation of a speculating disposition among traders, and would, by such a measure, prevent speculation, and protect the community from the revolution by which it is commonly followed.

The advantages of a manufacturing policy, having always a reference to the improvement of agriculture, are, therefore, manifest: They furnish, at all times a permanent and sure resource, against all the misfortunes to which a community is exposed, from the failure of its foreign commerce.

*Our Cotton Market.*—At no period within the last four years, has cotton been so heavy and dull as at present. To give any regular specific price is out of the question. There is much cotton for sale in this place, and we verily believe but *little money*, and few purchasers. We have in this city many of our up country planters, offering their cotton crops for sale, who busily traverse the streets from the rising to the setting of the sun, and return to their lodgings without having effected sales, with long faces and downcast looks. *It is their own fault.* They raised the cry of short crops, and delayed getting it to market, till they drove the foreign purchasers home, when a planter can obtain a fair market price for his cotton, let him sell and not linger. We see no prospect for an advance in this article during the present season.—*Examiner.*

*Washington, July 7.*—The Baron de Neuville and his lady left this city on Monday last, on their return to France. The following notice of their departure is communicated by a lady who knew them well and is capable of judging of their characters. We can say with sincerity that it is a just tribute to the personal merits of the worthy couple who have departed from our society, and we are confident that it expresses the general feelings of this place:

"The French Minister and lady—or we will rather say, the benevolent, the charitable, the respected and esteemed Mr. and Mrs. de Neuville, left Washington on Monday evening without parade or ostentatious display. They need no recorded evidence of their worth—they live in the hearts of all who know them, and their loss is sincerely lamented by all classes of citizens, from those who had the honour to be their associates and acquaintance, to the poorest and humblest individual in society. Their charities were wide spread, and in many cases bestowed in the most delicate manner. Were I to wish to portray all their goodness, my theme would be inexhaustable, and I can only say to those who are able to imitate them—‘Go and do thou likewise.’"

*Savannah, June 26.*—The business of the past week in Upland: Cottons has been considerable, though at rates about a half a cent below our former quotations—they may be quoted at 12 a 13; in a few instances 13 1-2 are given; exclusively prime would bring 14. Sea Islands are very dull—22 a 26 may be considered the price, except for fine and favourite parcels.

The depression in Cotton, may in part be ascribed to the fall of exchange, the want of vessels, and increased freight—the last vessels were filled at one cent and would now bring one and a quarter readily.

*New York, July 8.*—From *Laguna*.—By the arrival of the Brig *GEOEGTOWN PACKET*, in 16 days passage, we learn of Captain Rathbone, as follows; Gen. Bolivar had achieved a great victory at Quito—the Spanish General Morales had shot himself in consequence thereof. The inhabitants of Caracas were in a state of alarm, on account of an Indian leader having sprung up and obtained a considerable number of followers, who were entering and pillaging the neighbouring villages. The negroes had been endeavouring to raise a mutiny in Caracas, and some of them had been expelled from the country.

The produce of the country was scarce and high, and the markets glutted with foreign articles—very little business was doing.

*Massachusetts Penitentiary.*—The State Prison stands on the westernmost point of the Peninsula of Charlestown, at Lynd's Point. The wall which encloses it is washed by the water on the west and north sides. This building was erected in 1804—5, is 200 feet long by 44 wide. The foundation is composed of rocks, averaging two tons in weight, laid in mortar. On this foundation is laid a tier of hewn stone, 9 feet long, and 20 inches thick, forming the first floor. The outer walls are four feet, and the partition walls two feet thick. Each cell has two openings for the admission of air and light, each two feet in height and four inches wide. All the joints of the wall are clamped with iron. The doors on the basement story are made of solid wrought iron, each weighing five or six hundred weight. The entry is 12 feet wide, with two double iron doors at each end of the two wings. This entry is arched with brick, and covered with flat stones. The second story is like the first, except that the outer wall is but three and an half feet thick, and there is a grate at one end instead of a door. The third story is converted into rooms, with glazed windows, double

grated with iron bars two inches square. The floor of the entry is composed of hewn stone, 14 feet long, weighing each from 3 to 4 tons. The fourth story is the same as the third, except that the cells are covered with larger stones, the windows single grated, and the entry arched with brick. On the lower story are 28 cells, on the second 30, on the third and fourth are sixteen rooms in each—in the whole 90. The middle or Keeper's apartment, is five stories high. The lower story is appropriated to the purposes of cookery—the second contains the Visitor or Keeper's room—the third lodging chambers—the fourth a Chapel, the fifth a Hospital. On the centre of the building is a Cupola, 15 feet in height and 8 in diameter, supported by 8 columns with arches. In this cupola is suspended an alarm bell weighing 500 pounds.

Competent judges pronounce this to be amongst the best built Prisons in the world. It can neither be set on fire by the prisoners, nor undermined. The walls are built of hard flint stones from six to fourteen feet long. The yard is 275 feet long by 260 wide, encompassed by a stone wall 5 feet thick at bottom, 3 feet at top, and fifteen feet high. Workshops of two stories are in the yard. At the northwest corner of the yard is a bathing place, which is filled by the flowing of the tide, by means of a communication under the wall with the tide without. On the northwest and northeast corner of the wall are watch-boxes, from which every part of the wall and yard may be inspected. The front yard, through which is the common entrance to the prison, is temporarily inclosed with pointed palisades 20 feet high. A suitable wharf accommodates the premises, and the canal boats land wood and produce at the same. Forty-five acres of ground, including flats, was first purchased by the State for the accommodation of the Institution. The expense of the Prison and out-works, at the outset, was estimated at about 170,000 dollars.—*Salem Gazette*.

*Election of President.*—We have new and then signs thrown out—but with very few exceptions as yet, they are faint and mysterious.—The truth is, many of the newspapers suppose it is premature to stir the subject at all; some are loth to commit themselves; because they are not yet sufficiently acquainted with the merits or the strength of the candidates. If we were to hazard a conjecture at this remote day, it would be that the competition will finally be between a western, and an Atlantic citizen—probably from the South, and possibly a third from the East.

*New-York Celebration.*—The anniversary of our national independence was celebrated yesterday in this city with more than usual parade and splendour. In no city in the union is this national festival more universally observed than in this. All business is suspended, and all classes from the aged soldier, who can show the honorable scars won in the perilous time of the revolution, to the youth who has just learnt to pronounce with understanding the words of Liberty and Independence, mingle in the celebration and take part in the pleasures of the day. In the morning the thunders of the cannon and the merry peal of the bells awake the slumbering city, and thenceforth through the day and evening, all is bustle, animation, and joy. At an early hour, the Park, surrounded with tents, is crowded with people of all descriptions, and the side walks in Broadway, from the City-Hall to the Battery, are lined with men, women and children, eager to catch a glimpse of the military, and the numerous societies, with their banners displayed and emblems of the various professions. At length the long line of troops, with bristling bayonets and nodding plumes, are seen moving slowly and gracefully toward the Battery, where the line is formed, the reviewing officer received, and a federal salute fired, when the troops return to the Park, pay the customary salutations to the city of government, fire a *fusilade*, and disperse.

In the mean time the procession, formed of the different societies, moves from the Park in the following order, through several of the principal streets to the Church, where the Declaration of Independence is read, and an Oration pronounced. First the Tammany Society, with its numerous banners, Sachems smoking the calumet of peace, and every member with a *bucktail* in his hat—next the Hibernian Society, with a harp fancifully decorated with wreaths and flowers, and with their banners and badges—then the Society of Taylors, with banners and emblems—next the long line of Firemen, with neat badges, miniature engines, ladders, firehooks and banners, one of which, beautifully painted, represented old Manhattan pouring forth copious streams of water from the fountain—following these was the Society of Weavers, with a loom drawn in a wagon at which a lad was employed in weaving, cloth. This part of the exhibition attracted particular notice, and was peculiarly gratifying to the friends of domestic manufactures. The procession closed with the city Cartmen, amounting to about two hundred in number, dressed in white frocks and mounted on horseback.

The Corporation with the military officers and citizens dined together, and the several societies at the usual places. In the evening the principal places of public amusement, Theatre, Museum, and Public Gardens, were brilliantly illuminated and exhibited transparencies. The display of fireworks at the Richmond Hill Garden exceeded the anticipations of the spectators.—The new drama of the Battle of Lexington,

was performed at the Theatre, and it has been mentioned to us, that it was well received.

The premiums for the best production of the apprentices were awarded at their Library at 12 o'clock, and the articles sold at auction at good prices. We had the pleasure of viewing the articles presented for premiums, and were much gratified with their number and excellence.

The poor debtors in prison were enabled by the generosity of the butchers, fish dealers, and sellers of vegetables in the Fulton Market, to partake of an excellent dinner. It affords us pleasure to state, that the butchers sent them two hundred pounds of the finest beef, the fish dealers one hundred pounds of fresh fish, and the women four baskets of the best vegetables. Charity has its reward in the pleasing emotion it excites.

*Portsmouth.*—The dullness and monotony of the late fourth of July, in this town, was very pleasantly interrupted for a short time, by a procession of the workmen employed on Portsmouth Bridge. After labouring diligently on the Bridge till noon, they arranged themselves under the command of Captain Frank, and shouldering their several tools, marched down in their working dress, to the Court House, where some refreshments were provided for them. A body of axmen led the van, preceded by two of their number bearing a model of a section of the bridge. These were followed by another division, armed with hammers and smoothing planes, carrying a model of the arch and draw. Next came a body of irregular troops, armed with tree-nails, and handsaws, and crow bars and angars, each man apparently bearing the implement with which he had just before been at work. It is said that the man who was employed at the grindstone, when the signal was given to leave off work shouldered that implement, and joined in the procession with great glee. The procession was attended with the usual accompaniments of military music and flags.

*Celebration of Independence at Swansey.*—A procession was formed at the house of James Luther, Esq. and escorted to the 1st Baptist Meeting House, by Capt. Luther's and Capt. Peck's companies of infantry, accompanied by the Rehoboth band, under the direction of Col. Haile Wood. The exercises were commenced with a very able and appropriate prayer by the Rev. Benjamin Taylor. The Declaration of Independence read by W. A. F. Sroat, Esq. and a patriotic and well written Oration, delivered by Mr. Levi Haile.

A collation of which about 150 partook, was provided by James Luther, Esq. at which Doct. John Winslow presided, assisted by Vice President John Mason, Esq. and Mr. John F. Phillips.

The following among other toasts were drank:—

Benjamin Franklin—He drew fire from Heaven, and imparted it to the champions of Freedom.

Religious Liberty—May it be as free as Heaven designed it.

Hereditary Rights—May all the fools, tools and sycophants, who supported them, remain on the other side of the Atlantic.

The American Fair—An invaluable prize in the lottery of life—may every enemy to his country draw a blank.

*Celebration at Taunton.*—At 11 o'clock, a large procession formed from Atwood's Hotel, and proceeded to the Rev. Mr. Hamilton's Meeting-house, escorted by the Taunton and E. Bridgewater Light Infantry companies, and the whole proceeded by the Taunton Band. At the Meeting-house, the Throne of Heaven was addressed in solemn and fervent thanksgiving for our national exaltation and prosperity, by the Rev. Mr. Hamilton. The Declaration of Independence was then read by James L. Hodges, Esq.; after which a neat and patriotic oration was delivered with much fervour of eloquence, by Pliny Merrick, Esq. Several pieces of music were skilfully and tastefully performed by the Beethoven Society.

From the Meeting house, the procession returned to an arbour upon the green, where upwards of two hundred partook of a rich collation, from a tastefully and elegantly decorated table provided by Mr. Tiddale, Jonathan Ingell, Esq. presided at the table, assisted by the Hon. J. M. Williams, M. Morton, and Horatio Leonard, Esq. as Vice Presidents. After the cloth was removed, the following toasts were announced and drank under the discharge of cannon.

The Declaration of Independence—Illustrated by 56 good names, selected by twice 56,000 strong arms and stout hearts.

Our Country—Her pulsation, liberty; her muscles and sinews, a good government, and a virtuous and intelligent people.

The old States and the New—May no sectional partialities weaken the bond of their Union.

Massachusetts—Though cut short in the Maine she is still high in her character.

The Congress of the United States—With the true spirit of enlightened legislation, may they acquire much of the wisdom of silence.

Our Foreign Relations—Best promoted by taking good care of our relations at home.

Our Army and Navy.—“They have done well for the Republic;” may no stinted policy impede the future career of their glory.

# ASIATIC DEPARTMENT.

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## Supreme Court.

The case of BOILEAU versus EDWARDS, which came before the Court on Wednesday, is one of sufficient interest to the Public at large, to deserve a more full and circumstantial Report than most of the cases that come before that Tribunal for decision. Parents and Guardians are especially interested in such a case as the whole question turns on the right of Children to retain certain Accommodations chosen for them on board Ship by those having the charge of embarking them for the voyage, when such choice is approved and acquiesced in by the Captain. Commanders of Ships are also deeply interested in the question, as the decision given in this case must convince them that when certain parts of the Ship are contracted for, whether verbally or in writing, they can have no subsequent right, on any pretence whatever, to remove the occupants of such parts of the Ship to any other place, whether in their own opinion more favorable or not, without the full consent of the parties themselves. As the motive of Mr. Boileau, the Plaintiff, in bringing forward this Case, was not to seek vindictive damages, but merely to obtain a solemn and public decision on the question, for the sake of Justice, and the interests of the community at large, we really think he deserves well of the Public for his determination; and both the Defendant and all others of the same profession ought also to be aware that the limits which are thus set to the exercise of their discretion is beneficial to the world, and may lead even to the extension of confidence in their observance of engagements, since it is shewn that all breaches of them, arising from whatever motive, may be redressed in a Court of Law, and Damages obtained in cases of injury sustained that would be more than a counterbalance to any profit to be made by such changes.

As we were unable to attend in Court on the day of the Trial, we have been obliged to rely on the statement of our Reporter, which, however, has been drawn up from Notes taken by him on the spot, and rendered as full and as accurate as time and memory would admit. It is as follows:—

SUPREME COURT, WEDNESDAY, NOVEMBER 13, 1822.

SIMON HENRY BOILEAU, v. JAMES IVES EDWARDS.

The Case was opened by Mr. Money, as the Junior Counsel for the Plaintiff, and was briefly this:—Mr. Boileau, an East Indian, Assistant in one of the Public Offices of Government, on the 1st of January 1821, applied to Captain Edwards, for accommodations for two of his children, namely, John Edmonstone Boileau and Edward Raimond Boileau, for passage to England. He went himself on board Captain Edwards's Ship, the GOLCONDA, and pointed out the cabin No. 2, on the larboard side, which in his opinion was the best suited for them, and paid 1000 Rupees for each child as passage money, with one servant for their attendance. The children were sent on board on the day the GOLCONDA left Calcutta; and continued in quiet possession of their cabin, together with another child, Miss Mary Bosanquet. Captain Edwards used to visit and play with them frequently, until the Ship arrived at Madras. At that port Captain Edwards received Colonel Blacker on board as a Passenger, to accommodate whom, he dislodged the children of Major Alexander, who had engaged a cabin for them under the poop immediately off the cuddy, and this principally with the view that they might not have to undergo the danger attendant upon the going up and down the ladders. Major Alexander's children were removed to the cabin No. 2, in the steerage, from whence he dislodged Mr. Boileau's children, and placed them in the cabin No. 5, on the starboard side abreast the pumps, a cabin which until that period had been made use of as a store-room for paint, pitch, and other articles that could not be injured by water. It was stated that this cabin was one which from its situation, particularly the pump-dill passing directly through it, was so unfit for children that no person of feeling would ever have thought of lodging them there. Representations were made to Captain Edwards by the servant attending on the young Boileaus of the unhealthy

state of the cabin, it being frequently so wet as to oblige him to bail the water out, and almost constantly damp, besides the inconvenience of being unable to keep their port open which prevented a free circulation of air, and which was not the case with the cabin originally bespoken for them. Besides this, the proximity of the cabin No. 5, to the cow-pen, as also to the number of invalid soldiers on board, created heat and nauseous stench, while the constant daily lumber of empty water casks, &c. &c. on the gun-deck made it extremely difficult and dangerous for the children when taken on deck by him. To these representations Captain Edwards replied that the cabin was good enough, and they must make themselves contented, for they would get no other. At St. Helena another and a better cabin in the steerage became vacant by Reed's (a passenger) leaving the Ship; but still the children were kept in the same unhealthy birth. It appeared that General Ashe and the whole of the passengers were highly indignant at Captain Edwards's proceedings, but still the children remained. At length the Ship arrived in Portsmouth; where, thanks to the vigilance of the servant who seldom suffered them to remain below, and the humanity of General Ashe and Mrs. Showers, in whose accommodations they generally passed the greater part of the day, the Children landed in perfect health and safety. These were the leading circumstances of the Case which Mr. Money brought under notice.

Mr. FERGUSON then rose to observe that this was a case of great interest to the Father, and indeed to all Parents sending their Children to England from this country, Mr. Boileau had entrusted his Children to the care of Captain Edwards, who promised to be attentive to their wants and conveniences, and on Mr. Boileau's pointing out the Cabin No. 2 on the larboard side of the gun deck, ordered it to be fitted up for their accommodation; but the Children were ill treated by Captain Edwards, for they were removed further forward near the sheep and cows, and into a Cabin where they seldom had either light or air, from one which had both those conveniences, which was selected by Mr. Boileau for their use, and for which he had paid 2000 Rs. If a Captain of a Ship is allowed to use Children in this manner, and to deprive them of all their comforts and conveniences with impunity, few persons will be found to send their children home for education. Captain Edwards seemed to have been actuated by motives purely mercenary. On his arrival at Madras, Colonel Blacker wanted a passage to England, and thinking of course that Col. Blacker would pay better than the Children, he turned the young Boileaus out and put them into a Cabin which was not habitable; he then dislodged Major Alexander's children also, and put them into No. 2, on the larboard side of the gun deck, which he (Capt. Edwards) also made use of as a dressing and sitting room; but he begged his Lordship would observe that all his dislike was turned on the young Boileaus, he shifted them forward next to the cows, into a Cabin which when it rained or when the men were washing decks, was always wet, through which also the pump-dill passed, which of course could not be supposed to make the cabin either sweater or drier.

The learned Counsel added—Mr. Boileau was desirous of laying this case before his Lordship, not for the sake of any damages that might be awarded him, but to serve as a precedent and an example to other Captains of Ships, and to insure Children from being ill used by those very persons, who from having them perfectly under their power ought to protect them and watch over their comforts.

Mr. MONEY then proceeded to the examination of the first witness.

Jasper Campbell, a West Indian Black, was servant to Mr. Boileau's children and accompanied them to England, was on board the GOLCONDA, twice before their embarkation—Captain Edwards knowing him to be Mr. Boileau's servant, had pointed out the cabin No. 2, on the larboard side of the steerage, as the one engaged for the children. Mr. Boileau had been on board and seen the cabin, (Mrs. Boileau was along side, but feared to venture up); orders were given in Mr. Boileau's presence to have bed places fitted up in the cabin for the children. The young

Boileaus embarked about a week after and took possession (together with Miss Mary Bosanquet) of the cabin No. 2, on the larboard side of the steerage; the bed places had been put up, the Ship sailed that night. The children had the free and entire use of the cabin until their arrival at Madras. During the passage there, Captain Edwards frequently inquired after the children and sometimes played with them; about three days after the arrival of the Ship at Madras, Captain Edwards bade him to remove the children's things into No. 5, the cabin next the pump on the starboard side, which he did. No. 2 was a better cabin than No. 5, this cabin was very damp, and frequently so wet as to oblige him to bail the water out, could not wear his stockings in consequence, the Ship was pumped several times during the voyage.

Q. Did the bilge water that was pumped up pass through the cabin?

A. Yes.

Q. Was the bilge water very sweet?

A. Cannot say—never tasted it.

Q. I mean, did it smell very sweet?

A. No, surely.

The port in the Cabin No. 5 was barred in the greatest part of the voyage, being so far in midships as to make it likely the water would come on, the port leaked a good deal, the port in No. 2 was almost constantly open. The cow pen was opposite to the Cabin No. 6, abreast the main hatchway (occupied by the Chief Officer.)

Q. Was not the Cow House very offensive?

A. Could not say it was offensive, but it stunk.

The Pantry where the servant dined being near the children's Cabin made it very unpleasant, the deck was generally much crowded about that part with water casks, &c. &c. obliged to lift the children over them. The Cabin No. 5 was so dark when the port was in, that they were obliged to burn candles; the water must be very smooth to admit of the port being up; when Mr. Boileau's children were removed forward, Major Alexander's children were removed from the poop cabin down to the one vacated by the young Boileaus, to make room for Colonel Blacker under the poop. He (Jasper) had complained to the Captain, that the Cabin was very wet, and worse than No. 2. Captain Edwards answered, he must be contented, that one was good enough. He complained to General Ashe on the day following (who had the charge of the children.)

Mr. FERGUSON here observed that the children were not under the care of the General, but that he and his Daughter, Mrs. Showers, had kindly looked after them, and that it was owing to their humanity and kindness that the children reached England in health and safety.

*Jasper Campbell's Examination Continued.*

The General answered he would speak to the Captain about it, he used to keep the children on deck as much as possible and always in fine weather as the cabin below was too close for them. General Ashe was on shore at Madras when the children were removed from their original birth, they remained in No. 5 until they reached England.

*Cross-Examined by the Advocate-General.*

Mr. and Mrs. Reed left the Ship at St. Helena, General Ashe and Mrs. Showers took much notice of the children; had charge of Mary Bosanquet; her Father was very much pleased with the state of the child's health on her arrival in England, was in the same cabin with the young Boileaus. Mrs. White and another lady with two children inhabited the cabin No. 5, on the larboard side immediately opposite, and similar to that the young Boileaus were put into: these cabins were a few inches larger than the after ones—the Ship was pumped several times.

Q.—By the Pumps next your cabin?

A.—Yes

Q.—Now, Jasper, open your recollection; was it by those pumps?

A.—Yes, once.

Q.—Was there any one living in the Cabins before No. 5?  
A.—Yes, No. 6 on the starboard side was the Chief Mate's No. 7, Lieutenant Campbell and Swiney lived in; and opposite to them a Captain of Invalids

Q.—Where did you leave the Ship?

A. At Portsmouth.

Q. You quitted the ship in a hurry?

A. Yes.

Q. And out of mistake carried away one of Captain Edwards's silver spoons?

A. No, never: they were the Children's spoons.

*Mr. Money again examined the Witness.*

Mr. Boileau had furnished him with two silver spoons for the Children, their names were engraved on the back of them, they were the spoons he had in his pocket when he left the ship. On Mr. and Mrs. Reed's leaving the ship at St. Helena, Captain Edwards took their cabin No. 1 starboard side to his own use, and gave Mr. Tucker 3d Officer permission to live in the cabin No. 2 on the larboard side, together with Major Alexander's Children till they got to England.

*Theophilus Loyd was next called.*

Was Chief Officer of the GOLCONDA on her voyage to England; recollects Mr. Boileau coming on board and selecting the 2d cabin from aft on the larboard side of the gun deck (No. 2) for the use of his Children on the voyage home, recollects the Children coming on board (Mr. Boileau's two boys and Mary Bosanquet) who with a part of their clothes were put into the cabin appointed for them, recollects their being removed into the cabin No. 5 or the starboard side a few days after the arrival of the ship at Madras. The port in No. 2 much oftener open, and more healthy than No. 5, which from the ship labouring more in midships and abreast of the mainmast, made the cabin constantly damp, No. 2 was perfectly dry—at those times; the ship was pumped occasionally, No. 5, objectionable on that account, Major Alexander's children were put into the cabin No. 2, (which the Boileaus left) to make room for Colonel Blacker under the poop; in this cabin also the Captain passed the greater part of the day, and washed and dressed in it.—Colonel Blacker offered a larger sum than Major Alexander for the cabin under the poop.

The nearness to the cows made the cabin No. 5, very unpleasant; the other passengers whose cabins were near them also complained of the stench. Mr. Reed left the ship at St. Helena in consequence of a violent quarrel with the Captain, who took possession of the cabin he had occupied, No. 1, on the starboard side, and allowed Mr. Tucker the 3d Officer to live with Major Alexander's children in No. 2.

General Ashe and Captain Edwards were not on the best terms after leaving Madras. Never heard General Ashe remonstrate with Captain Edwards, about the removal of the children, though he heard several persons making remarks as to the impropriety of it.

*Cross-Examined by the Advocate-General.*

Q.—Did not General Ashe, together with the other Passengers, sign a Letter addressed to Captain Edwards, testifying their satisfaction at his conduct and attention to them during the voyage?

A.—I don't know how Captain Edwards might have wound up matters with General Ashe, but he certainly did sign the letter.

Q.—You had some differences with Captain Edwards that are not wound up yet I believe?

A.—Yes, and so had many others; it is impossible to agree with a man of his character.

Sir FRANCIS McNAGHTEN wished to know if the cabins aft were let for any more than those forward.

A.—I think they would, No. 5, until the children were put into it, had always been made use of to keep paint and other articles in, that would not suffer from damp and wet. No person at Madras would have it.

George Hill was next examined by Mr. Money;—had been 4th Officer on board the GOLCONDA for that voyage;—his evidence was to the same effect as the foregoing.

Mr. Wood (the next evidence) was a Passenger as far as Cape on the GOLCONDA, on her said voyage to England. Remembered seeing Mr. Boileau's children on board; and their being, while at Madras, removed from No. 2. on the larboard side to No. 5. on the starboard side of the steerage; had some conversation with General Ashe respecting the impropriety of such conduct: in fact there was but one opinion as to that. No. 2 must have been a better cabin than No. 5, from the situation of it, though he was never in it, yet he would prefer No. 2. for himself; would never have thought of putting his children into No. 5.

*Cross-Examined by the Advocate-General?*

Could not speak as to the pains taken respecting the personal comforts of the passengers, remembered a school being established in the cuddy for the children.

Here the evidence for the Plaintiff closed.

THE ADVOCATE-GENERAL observed to his Lordship, that there were no documents to specify the number of the cabin engaged; that it was merely a verbal specification.

HIS LORDSHIP replied, that if such verbal specification and promises were not heeded, there would be no longer any trust existing between Gentleman and Gentleman.

THE ADVOCATE GENERAL thought that as no number had been specified in the agreement, as to the passage of the children, one cabin was as good as another, as long as it was a cabin.

MR. FERGUSON replied that if ever he went on a voyage he would take what cabin he chose.

HIS LORDSHIP here observed, that Captain Edwards could not plead ignorance as to what cabin the children were to have, as Mr. Lloyd had proved that Captain E. had ordered him to prepare No. 2 for their reception.

THE ADVOCATE GENERAL said, he had wished to settle it in this simple manner, as the children might have been removed inadvertently; he was however happy that the other party had come forward in such an open manly manner, rather than under a fictitious name, slandering a worthy man as a Letter that he would read would show.

THE ADVOCATE GENERAL then read the following letter published in the CALCUTTA JOURNAL on the 1st of January, 1822, headed "Passengers to England."

**Passengers to England.**

**OBSERVATIONS ARISING OUT OF THE CONDUCT OF SOME COMMANDERS OF SHIPS GOING HOME.**

Sir,

To the Editor of the Calcutta Journal.

For the benefit, and even preservation of Children sent on board Ships for England, it is necessary to make known to the Public in India, that glaring and unpardonable instances of misconduct in the Commanders of some of the Ships homeward-bound occur, regarding Children placed under their care. No sooner is the ship out of Pilot's water, than some of the Children, whom the parents or their friends have seen comfortably settled in the Cabin actually purchased for them, are removed to one much less suitable to them, perhaps below, and perhaps crowded with other Children; or the Captain waits till he reaches Madras, and if there he has applications for accommodation more than his ship can conveniently supply, he does not hesitate, even in the face of the rest of the passengers, to remove such Children as occupy Cabins, that are wanted for the new passengers, to a very inferior one, and one that is among the Officers' Cabins below. If this is not sufficient, perhaps in consequence of other passengers requiring accommodation from the Cape of Good Hope, the same unfortunate Children are removed again further forwards even to the mainmast.

Independent of this very improper conduct to Children, a similar kind of treatment is sometimes shewn to time-expired men and Invalids of His Majesty's Regiments, who are crammed into a space not sufficient for half the number accommodated in it. This has all occurred in a Ship that very lately put into the Cape, as reported on her arrival; and it is hoped that this conduct of the Captain both to the Invalids and Children, will be made known in England, as well as India, though redress, it is feared, may not be obtained. Indeed seeking redress is vain, when Children have suffered in health, and instead of recovering their strength in airy Cabins at sea, new diseases are brought on, and even the lives of Children endangered.

In the case before us, several Children were ill, and one dangerously so; and when some kind passengers, having Children of their own

wished to take the suffering ones into their Cabins, the Medical man prevented it, by saying the complaint might be infectious. Some however, were received into more healthy Cabins, by the humanity of certain passengers on board.

These circumstances shew the necessity of strict written Agreement being signed by Commanders of ships taking Children, that in the event of such conduct as the above being known, they may be made to suffer the penalties of the Law.

*From the Cape. A PASSENGER ON THE WAY HOME.*

SIR F. MACNAGHTEN observed, that he had no doubt that written agreements would in future be made.

THE ADVOCATE GENERAL resumed: The question was whether any specified Cabin was agreed for, and if so what damages should be awarded against Captain Edwards. On the arrival of the GOLCONDA at Madras, Captain Edwards had an application made to him by Col. Blacker, with whom he had long been acquainted, for a passage to England, and wishing to oblige him, he gave up the cabin under the poop inhabited by Major Alexander's children, but which in fact was his own; these he removed down into the Cabin of the young Boileaus, and these again into the Cabin, No. 5, on the starboard side, but the state of that Cabin had been much exaggerated to his Lordship, as he would bring evidence to prove. The first witness, Jasper being exasperated in consequence of the silver spoon having been found in his possession, when leaving the ship at Portsmouth.—Mr. Lloyd, the second witness, boiling over with passion, would, if he had been allowed to proceed, have perverted every thing the former evidence had said against the defendant. These two in their indignation had greatly exaggerated the state of the Cabin (No. 5) in point of badness. Could there be a better proof of its wholesomeness than that the Children reached England in perfect health? Their relations testified the greatest satisfaction with Captain Edwards's conduct, Mr. Bosanquet was so pleased that he gave him a half Chest of Claret, as a letter of his would show his Lordship:—If No. 5 had been so very bad as represented, no person ought to have been in it, nor would have been put in it; it might be a little worse in bad weather, but he could not conceive that it could be so much worse than the others; besides, as to room and air, it had been entirely misrepresented, as No. 5 was considerably larger than any of the Cabins abaft it.

Here a draft of the accomodations was handed in, by which it appeared that No. 5 was a few inches larger each way than No. 2. As to air, the ports were open all day when the weather permitted it, but generally shut at night.

It had been stated that General Ashe had not the charge of the children; Jasper in his evidence had said that Mr. Boileau had told him he had. General Ashe's speaking to Captain Edwards respecting the ill-treatment of the children proved it. If then the children had been so very ill-used as people wished to represent it, he was at a loss to think by what charm Captain Edwards could have dispersed all General Ashe's coolness towards him. The learned Gentleman could not believe it possible that General Ashe would quietly submit to the ill-use of the children. The true case was, that No. 2 being abreast the companion, the Captain, on Colonel Blacker's joining as passenger, took possession of it, as it was more handy for his immediate attendance to the duties of the deck, and as before took Major Alexander's children to partake it with him, No. 5 to which the young Boileaus were removed was equally commodious. As to the complaint that the stench from the cows made it uncomfortable, he (the Advocate General) thought they could have been very little inconvenienced by them, as in the first place they were 14 or 15 feet removed from the cabin, and several passengers who were much nearer never complained of them; but where could there be a clearer proof of the cabin having been wholesome, than from the children having arrived in England in a perfect state of health?

Mr. Bosanquet had written a letter of thanks, which was produced and read by Mr. Mactier, as follows:—

MY DEAR SIR,—I have to return you my thanks for your kind offer of conveying any thing for me to Bengal, which, however, the delay of a tradesman here has prevented my taking

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advantage of. I have just made one or two unsuccessful attempts to find you, and your outward bound voyage being so near, renders it probable that we shall not meet. Permit me then by letter instead of verbally to request your acceptance of half a Chest of Claret, marked P. and Co. Calcutta, 36, which is already on board the GOLCONDA, the growth is Lafete and the vintage 1818, with best wishes for a prosperous voyage.

(Signed) AUGT. BOSANQUET.

MR. FERGUSON remarked, that if this letter was accepted, he would put in one against it from Mrs. Bosanquet, though her maternal anxiety might perhaps exaggerate.

THE ADVOCATE GENERAL seemed to make no objection to withdrawing the letter; he thought the present charge tended to injure Captain Edwards, it might give people license to say that he did not act up to his contract in taking due care of the children confided to his charge. The object of bringing this cause forward so publicly, seemed to be an Advertisement to the Public, "Never send your child home with Captain Edwards, for he will not take any care of them; he only considers his own gain, and to that he will not scruple to sacrifice them." General Ashe never remonstrated with him on the impropriety of shifting the boys to a less comfortable cabin; if he had, Captain Edwards would have remedied it immediately. Mr. and Mrs. Reed left the ship at St. Helena; if the children had been uncomfortably situated, might they not have been removed to the cabin which was vacated by them? And it is well known Captain Edwards took no more passengers.

MR. FERGUSON said, that that was precisely what he wanted to know, why the Children were not removed to Mr. Reed's Cabin after he had left the ship.

THE ADVOCATE GENERAL continued—Had the Cabin No. 5 been so bad as represented, General Ashe would have required that Cabin for the Children;—the badness of the Cabin No. 5 was but a futile assertion; or why would Capt. Edwards allow his 3d Officer to take possession of No. 2 in preference to letting Mr. Boileau's Children have it? But putting all this aside, did not the Children arrive in England in perfect health? and could there be a plainer proof of No. 5 being as good as No. 2?

#### EVIDENCE FOR THE DEFENDANT.

Wm. Tucher Examined by the Advocate-General.

He was 3d Officer during the GOLCONDA's last voyage to England, the Ship touched at Madras; General Ashe, Mrs. Showers, the two young Boileaus and Miss. Bosanquet disembarked at Portsmouth, went on shore with them, carried the despatches to town. No 5 was a very good Cabin, had made the plan, produced of the accommodations. Captain Edwards was very attentive to the Children, some of them had been indisposed during the voyage, though the young Boileaus and Miss Bosanquet, with the exception of sea sickness, had enjoyed perfect health; had seen the children after they landed in London at General Ashe's, who, he understood had charge of them, and knew of their removal from No. 2 to No. 5; could not say whether General Ashe made any remonstrance with the Captain respecting it. He (witness) was acquainted with General Ashe's handwriting (on a paper being shown him) yes that was his.—No. 5 was equally as good a cabin as No. 2; some persons prefered No. 5—Most of the children were generally in Mrs. Showers's cabin during the day; the Ship had been pumped out ten or twelve times during the voyage home, but always by the pump forward; there was no occasion for using the main pumps, which were only worked two or three times, and that to try them.

Cross-Examined by Mr. Fergusson.

Q. I believe you have been promoted lately; you were Third and are now Second Officer of the GOLCONDA?

A. Yes.

Q. And expect to be First?

A. I might, and perhaps another.

No. 5, was an excellent cabin, would not mind taking it for his birth, (on being reminded of his oath) would however prefer

No. 2, for his own use. A passenger, Mr. Willis, on the voyage out preferred it to any other, all the cabins were of the same price, the port in No. 2, might have been open when the one in No. 5, was shut, but very seldom. No. 2 was not much preferable to No. 5, it might have been a little better.

Q.—And how did you like Cows,

A. I did not dislike them.

Q.—Why did not you go to live with them then?

A.—I did, my cabin was close to them.

John Baker, Examined by the Advocate-General.

Was Carpenter of the GOLCONDA, on her last voyage to England, knew of the removal of the children from cabin No. 2 to No. 5, had to bar the ports in all cabins every evening and unbar them again in the morning; never saw any difference in them, the ports used to be generally open in the day time as far forward as No. 6. No. 2 might perhaps be ventured open when No. 5 was shut, the ports were always very tight; as to the cabins, being wet, he saw no difference in them, sometimes he found them dry, sometimes not, according to the weather.

Cross Examined by Mr. Money.

The GOLCONDA is 850 Tons, and drew, when leaving Madras, 23 feet.

Charles Bourden, went on board the GOLCONDA as passenger from Madras to England; afterwards, at the Cape, became Captain's Steward, Captain Edwards was always very attentive to the Children.

Cross-Examined by Mr. Fergusson.

Went home as Charter party passenger,

Q. How came you to prefer that mode of going home?

A. It was not optional.

Q. I suppose not, you were sent home for your good deeds I presume?

A. Not for any bad ones.

Here closed the evidence for the Defendant.

Mr. FERGUSON in his final address to his Lordship said, that he would retract nothing he had said, that he considered the evidence for the Defendant as nothing, that Captain Edwards had been guilty of a gross violation of his duty and breach of promise in his conduct towards the children. It was such a breach of duty, as in a Commander was highly disgraceful and reprehensible. Mr. Boileau did not wish to put any thing in his pocket, but he had nevertheless the hope that his Lordship would award damages, and no common damages either against a man who could behave in such a manner to children entrusted to his immediate care, for the sake of a paltry gain of a few hundred rupees, as was evident from Colonel Blacker's passage money. Why did he not say, "No. 5 is vacant for you, if that suits you well and good, if not, I can not take you, I can not do a injustice to others to accommodate you." Besides, if he had determined upon taking Colonel Blacker, why did he not remove Major Alexander's children, who ultimately made room for the Colonel into No. 5? But no: Mr. Boileau's children were less valued than Major Alexander's, whose interest in this country he dreaded. Was there a man, he would ask, who had any experience at sea whatever, but would prefer No. 2 to No. 5, —But no—favour Major Alexander's children in preference.

The second witness (Mr. Lloyd) might have been exasperated, and perhaps justly too. He, (the learned gentleman,) would not enter into the merits of the case; as to the Servant Jasper having stolen a Silver spoon, that was in his opinion sufficiently refuted.

The idea that General Ashe should have made remonstrances to Col. Blacker or Capt. Edwards respecting the removal of the Children, after the Colonel was once on board is absurd; why should Gen. Ashe have endeavoured to embroil himself with his brother passengers, and those of his own cloth too, for the sake of children he had no charge of. No—he preferred quite to make them comfortable in his own part of the accommodation. That this Second Officer, who was third before and expects to be first, who basks in the sunshine of his Captain's smiles, should prefer No. 5 to No. 2, appears nothing extraordinary; but after all, he acknowledges that for his own use he would like to have No. 2 as the best.

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With respect to the main pumps not having been worked more than twice or thrice, that is to say that occasion might not have compelled them to work them constantly. As to Captain Edwards behaving kindly and establishing a school for the children, all that is very good; but, observed the learned Gentleman, "a person may do me the greatest injury in life and yet behave with great personal kindness towards me; but where his own interest is concerned, he says, do not depend upon me, I must look out for myself."

The learned Counsel would trouble his Lordship with no further details, but should conclude by observing that altho' Mr. Boileau did not wish to enrich himself at the expense of the Defendant, yet he hoped his Lordship would award such Damages, not vindictive Damages, but such as would prove an effectual stop to proceedings of this kind in future, and in doing so he would request his Lordship to consider what the feelings of a parent must be who knew his children to be used as Mr. Boileau's had been.

His Lordship then addressed the Court to the following effect:—The present case was indeed one of the most interesting that had long been brought before the Court, and he was very happy it had been brought before him, though it was one which at the same time gave him great pain, as it proved how little trust could be placed in persons going to England who had children entrusted to their care. It was really a most melancholy conclusion, that we must either not send our children home for education at all, or wait till we are able to accompany them, to fight with the Captain for their rights and comforts. What satisfaction could we have in sending them home if we had no confidence in the person who faithfully promises to look to their health, comforts, and convenience; such a flagrant breach of trust is deceitful, improper, immoral, and altogether wrong. Was it not sufficient that if we sent our Children home they would be ill treated and imposed upon on their passage?

His Lordship added he perfectly agreed with Mr. Wood; no two persons could think otherwise than that the children had been ill-used. Captain Edwards had engaged to take the Children home; the Father had pointed out the Cabin he wished them to occupy and subsequently fondly parted with his children under the conviction that they were in the hands of a man who would make them comfortable; this man, regardless of the trust reposed in him, removes them from a wholesome Cabin, to one where if it had not been for the vigilance of that servant Jasper and the humanity of Mrs. Showers, the children might have died. Captain Edwards had no right to remove them; a written document to insure the Cabin to the Children was not necessary; the Father paid for their passage, he selected the Cabin, and Captain Edwards had no business to remove them, even had he done it with a view of making them more comfortable in another Cabin. His Lordship could not conceive how Captain Edwards could for the trifling sum Colonel Blacker might have paid for his passage subject the children to such danger as the young Boileaus were exposed to, and above all taking advantage of General Ashe's absence to remove the children from No. 2 to No. 5. It was evident Captain Edwards gave No. 2 the preference of No. 5. When at St. Helena the other cabin became vacant, it was too late for General Ashe to speak, for the hot weather passage was over. If either of those children, which happily they have not, had unfortunately died, his Lordship did not see what possible excuse Captain Edwards could make to himself as being the ultimate cause.

Mr. Boileau did not ask for damages; indeed, he did not well know how he could be compensated for the injury his children were exposed to. Mr. Wood had said he would never have thought of sending any of his children home in No. 5; it was evident, and Captain Edwards as a seafaring man must well have known, that the cabins forward are far worse than those abaft—there could be no doubt then of Captain Edwards having committed a breach of trust, to call it nothing worse; and that damages ought to be awarded to Mr. Boileau; but as he did not ask for any, His Lordship thought it but due, strongly to reprehend Captain Edwards for his conduct; and to enable Mr. Boileau to pay the lesser demands of the Court, award him 500 Rupees Damages,

### War Renewed.

Henceforth we can place no reliance on pacific professions from a hostile quarter. Only one short day has elapsed since the Sixth Editor of the BULL tendered to us the Olive Branch of Peace; and giving full credit to the sincerity with which it appeared to be offered, we accepted the tender in what we then deemed a corresponding spirit. But, alas! how vain the hope, that Peace could ever be acceptable to those who without a War would so soon be beggared in their resources, and might be compelled to exclaim with Othello, that their occupation was no more! The hand that first tendered the Olive Branch, which we so readily accepted, has, in the BULL of yesterday, drawn up a Declaration of Hostilities, occupying two close columns of the Paper, unsaying in short all that in our confidence in his sincerity we had ventured to say for him. Our Readers may see by the quoted passages of the peaceful kind, which we re-printed in our JOURNAL of Wednesday, what his professions then were. Let them compare them with the following, from the BULL of yesterday, and they will see what the same Editor's determinations now are:—

"It is altogether untrue to say that we have formally abandoned the System hitherto observed in the JOHN BULL."

"We know of no System having been observed in the JOHN BULL, but that of direct opposition to the principles and views inculcated in the CALCUTTA JOURNAL, combined with a contemptuous reprobation of the continued abuse of the most respectable individuals in this place, in which that Paper indulges to an excess disgraceful to itself, and discreditable to Society at large, and which System we will never abandon."

"It is equally untrue, that the force of Public Opinion has had any thing to do with the determination which we have avowed."

"Such is not our guide, and the influence of Public Opinion has no operated a jot on our minds. We are guided alone by our own conviction of what we believe to be right; and tho' our opinion should differ from that of the Public, we cannot compromise it."

"We disclaim all the merit of any "friendly spirit" in the avowals we have made of our views. We candidly state that we are not disposed to attach so much consequence to the JOURNAL, as to make any friendly spirit, or its contrary, at all a matter of question with us, one way or the other."

Whether the new Editor has been asleep or awake for the last twelve months we cannot presume to determine:—but we really think that no other person who had observed the local history of that period would presume to say that it has not been a part of the system and practice of the JOHN BULL to bring the Editor's private character into disrepute, by insinuations of the most reprehensible nature. On this subject, which is so fully before the public, there is no need of our saying another word; for the fact is on record, and cannot be satisfactorily denied. But supposing the new Editor only to have been awakened from his trance the day before he took charge, he must have seen and known that the JOHN BULL inserted without explanation or apology a Letter which called us "the most artful of adventurers, who had duped the Indian Public, who had been guilty of crimes which would disgust every honourable man, the hour of whose exposure approached, &c. &c." Will he presume to say that this had reference only to the principles and views inculcated in the CALCUTTA JOURNAL? or can he imagine for a moment that any one will go along with him if he deems such an accusation fit to be made anonymously against any man breathing? If he is so wrong headed as to believe that at this time of day he can persuade the Public that the JOHN BULL has not been systematically employed to traduce the Editor of the JOURNAL, he had better return to his quiet retreat again; for he will make no converts to his opinion, until he can destroy all the numbers of the Paper that have appeared since its commencement, and also blot out the memory of its iniquities from the minds of men. We need no other proofs than its own pages, which are before the world, and to Public Opinion we are therefore content to leave the question.

But the peaceful Editor, not content with hastily correcting his error and avowing his ignorance, not content with declaring that he has not abandoned the system on which th-

BULL has hitherto been conducted, and confessing his utter darkness as to any part of its opposition to us which went beyond our public views and principles—goes on to say that the CALCUTTA JOURNAL has been the vehicle of “continued abuse of the most respectable individuals in this place, in which that Paper (the JOURNAL) indulges to an excess, disgraceful to itself and discreditable to Society at large.” Here is a sweeping peace-maker indeed! We have only to ask who are those most respectable individuals? and why do they suffer such continued abuse to pass unnoticed? The Governor General and Members of Council would not quietly, pass by disgraceful abuse uttered against them in the JOURNAL, however indifferent they might be to remarks on their public conduct made in the public JOURNALS at home. The Secretaries of Government can hardly think themselves abused because they were once told that they were subject to the same failings as other men and not exempt from the common infirmities of human nature. The Civil and Military Servants of Government are all too sensibly alive to reputation to permit any “abuse” which should deserve the epithet of “disgraceful” to pass without remark at least. We ask again, then.—Who are those most respectable individuals of the place, who are thus said to be *abused* by us, and if so are certainly libelled by our Opponent, in being taunted with submitting to that which is disgraceful to the society, of which as the leading individuals, they must be among the most upright and honorable members?

The only solution of this riddle, is the possibility that the new Editor of JOHN BULL conceives his “Honorable Masters” (we do not mean the East India Company, but those few of their Servants who hire and pay the Editors and Printers of the JOHN BULL) to be “the most respectable individuals of this place.” They may be so, for aught we know;—but still, to say that we indulge in a continued abuse of even these individuals, and in an excess which is disgraceful to us and discreditable to society, is, to borrow the choice language of our new Opponent, “altogether untrue.” In corroboration of our conjecture that these are the individuals alluded to, we copy the following sentence from yesterday’s Manifesto, respecting them:—

“We again assert that the Proprietors of the JOHN BULL, taking no concern in the management of it, are wholly exempted by the very principles of the JOURNAL, from being the subjects of public discussion. Their proprietary interest is altogether private. Their characters, public and private, require no defence from us—but connected as we are with the JOHN BULL, we will not allow them to be thus stigmatized, without exposing the falsehood of the charge; and we therefore distinctly own that we must ever consider an attack upon the Proprietors of the JOHN BULL as an infringement of private life; and meriting the severest reprobation; and we will not allow it to pass unrebuked.”

How can it possibly be asserted that the Proprietors of the JOHN BULL take no concern in its management, when the appointment or dismissal of an Editor wholly depends on them? they appointed the Second Editor; they approved of the Third; they contracted for the services of the Fourth; they availed themselves of the temporary aid of the Fifth; and it is still they who are to hire, pay, and dismiss if they deem it necessary, the Sixth. Is it meant to say that an Editor maintaining Whig Politics and advocating the cause of a Free Press in India would be as acceptable to the Proprietors of the BULL as one of Tory Politics and the enemy of such Free Press? Have they so little concern in the management, that they would permit a letter, calling either of their superiors in office an unprincipled adventurer, guilty of all sorts of crimes, to appear in the JOHN BULL of one day, without turning out their Editor, and doing what they could to make reparation to the calumniated person on the next? We believe not;—and we are satisfied that if the present Editor would make the experiment, and since he can change from peace to war so easily, turn his hand to an article on the evils of Public Monopolies—on the illegality of restraints on Public Opinion,—on the injustice of Transportation without Trial, on the common rights of all British subjects to the benefit of a Jury,—on the injury to the state, and to the common interests of mankind, by preventing Europeans from holding land, and opposing the Colonization of India. Let him try his hand on these

subjects: or, if he is inadequate, let him take a week’s holiday, and resign the pen to any one who can do so, and he will no doubt soon share the fate of the proposer of a Parliament on the Nilgerry Hills.

If this be true, that the Proprietors of the JOHN BULL can and do, *choose, retain, and reject* their Editors at pleasure, paying them their hire as long as they write what is approved, whether 1000, 500, or 300 Rupees be the wages allotted them; If it be true, that no Editor professing Whig Politics, advocating Colonization, contending for an unfettered Press, or eulogizing the character as well as principles of the Editor of the CALCUTTA JOURNAL, would be employed by the Proprietors of the JOHN BULL, then they *have* a concern in it management, whatever their Sixth Editor may say to the contrary:—and as long as the matter of the JOHN BULL’s pages can be considered *public matter*, those who may at any time alter the complexion of that matter by discharging one Editor and hiring another are *public men*; and so much of their conduct as relates to the JOHN BULL and its sentiments and general tone is *public conduct* also. It is no “infringement of private life,” therefore to say, what we still maintain, that if they suffer their Paper to be the continued vehicle of dark insinuations respecting an Individual’s former history, alleged crimes, pretended arts, &c. with allusions to his nearest and dearest family connections, comments on his domestic establishment, and lastly denouncing him as a monster of crime and iniquity, whom every honorable man should shun; if they suffer all this, without expressing their reprobation of such conduct, and pay those who are accessories to such calumnies the hire of their dirty labour, while they themselves derive profit from its sale, we repeat again, and shall ever maintain, that both in Law and in Equity, they are as much responsible for this abuse of their property as the Owners of a Ship, whose Commander employed her in Piracy, would be, if they received the profits of such unlawful occupation and did not do their utmost to suppress it. There is not a human being breathing, not even the dastardly miscreant who penned it, who does not know that if an action were brought against the Publisher of the Letter signed “A FRIEND TO MR. BANKES,” no Judge or Jury could avoid pronouncing it to be a Libel, and one of the most unprovoked and unsounded nature. Would the Proprietors in such case be permitted to say that they were mere private individuals, content with sharing the *profits* of their libellous Publication, but having nothing to do with its management, and not responsible for its sins? A Court of Law would treat such a pretension with becoming contempt; and there is not one of these Proprietors who does not know that they are as much liable for damages arising out of the offences or misconduct of their Paper as they are liable for the payment of the debts contracted in order to carry it on.

The “falsehood of the charge,” to use our peace-maker’s courteous phrase, is not therefore so easily exposed as he imagines:—When we talk of the Proprietor’s Families and Carriages, Servants and Tables, and set them up as a mark of public scorn as the most artful of Adventurers, who live by imposing on mankind, we may then be justly denounced as being guilty of “an infringement on private life.” The Proprietors have seen this practised towards us, not once but often: they have paid the hire of those thro’ whose means alone such infringements on private life could have been made public; and they have shared the profits arising from its circulation. They had it in their power to repress and prevent the repetition of such calumnies, since no Editor who dared oppose their expressed wishes could maintain his place or receive his pay. They possessed one, under whom the insertion of such personalities was for a moment suspended; and after three short days, their connection was at an end. They saw, after this, a flood of calumny let loose, and they have expressed no public sense of shame, or regret, or even disapprobation; and, as if to make the whole history of their career complete, they procure an Editor whose tender of the Olive Branch of Peace is accepted, but who on the day after, as if informed of his mistake, returns to the renewal of War with greater violence than ever, and flings about charges of “untruth,” “falsehood,” “discreditable,” “disgraceful,” and other choice epithets, which

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from any other quarter might deserve more serious notice; but which come through a source that has been too often proved unworthy of credit before, for us to apprehend that any rational person will attach the least weight to such choice phrases now.

If peace, or courteous rivalry, be the object of the Proprietors, they have only to issue their mandate, and their Servant who cannot receive his pay a moment longer than they please—must obey. If war and acrimonious hostility be their aim, their hired writer, he be who he may, must still conform to their wishes. If, however, on the other hand, it be a matter of indifference what line of conduct the Editor of the Paper pursues—(and if they take no concern whatever in its management, as is asserted, this must be the case)—and profit, without regard to principle, is their only object; then we would recommend them to get a Whig Editor and a Gentlemanly Superintendant at once, by which they will improve their property considerably; because, by avoiding all invasions of private life, and being nearer the truth in all matters of public interest, they will carry with them more of the approbation and more of the sympathies of the best part of mankind; and find a cure for their envy of our prosperity, by accelerating rapidly the advances of their own.

### Government Notification.

FORT WILLIAM, GENERAL DEPARTMENT, NOV. 1, 1822.

The Most Noble the Governor General in Council is pleased to direct, that the following Extract (Paragraphs 35 and 36) from a Public General Letter from the Honorable the Court of Directors dated the 29th May 1822, and a Copy of the Letter from Mr. J. A. Stewart Mackenzie, therein alluded to, be published for general information.

*Extract from a Public General Letter from the Honorable the Court of Directors, dated the 29th May, 1822.*

35. We transmit a number in the Packet Copy of a Letter lately addressed to us by Mr. J. A. Stuart Mackenzie, on behalf of the Society for promoting the Education of the Poor in the Highlands of Scotland.

36. Being desirous of promoting the laudable objects of that Institution, we direct in compliance with the request of Mr. Mackenzie, that you take such steps as may appear to you best calculated to give publicity to the Society; and we authorize you to receive from its Agents at your Presidency, such sums as may be subscribed in aid of its Funds, which Subscriptions you will remit to this Country, by a Bill on us in favor of the Treasurer of the Institution.

To the Honorable the Court of Directors of the East India Company.  
Brahm Castle, April 8, 1822.

HONORABLE SIRS,

I beg leave respectfully to address your Honorable Court, on the part of a Society lately instituted for the Education of the Poor, in the Highlands of Scotland.

From the nature of that part of the Country, in general barren, divided by Mountains, Rivers, and Arms of the Sea, without Manufactures, and with very few considerable Towns, scattered through an extensive region; the common people of it formed into small groups distant from each other; speaking for the greater part only their native Gaelic language, and very indigent, are placed under obvious and great disadvantages with respect to Education, which is therefore extremely defective among them.

This is to be the more lamented on account of the number of that people, estimated at little less than 400,000, their interesting Character, the Services they are acknowledged to have rendered to the Nation, and the importance in the public as well as private view of improving their good dispositions and capabilities of future usefulness.

Some laudable endeavours have indeed been used, for a long time by a Society in the South of Scotland, where another philanthropic Institution has also lately arisen to promote these ends, but they fall far short of the circumstances and necessity of the widely dispersed Highland Population.

To inform their minds they must have instruction carried to their thinly scattered Hamlets, and it is found most expedient to begin by teaching them to read in their own language even when the ultimate intention may be to instruct them in reading and writing English. Hence the provision of many Schools and many teachers becomes necessary.

Influenced by these considerations, a number of Gentlemen in the northern Counties of Scotland about two years ago formed themselves

into the association, which I have already had the honor to announce to you.

The success of the Institution has for the time been very satisfactory. It has now in operation more than 40 Schools, in which instruction is given to above 2000 children, who would otherwise probably live and die in total ignorance. But these Schools supply only a small part of the wants of the population, and though the designs of the society have received a liberal local support, it cannot be expected that the funds thus procured, will prove at all adequate to the occasion, and the actual demand for Schools in the Highlands, and therefore the Society have wished to interest the Natives of that quarter, who are now settled in foreign Countries, particularly those in the Dominions of the East India Company, to contribute their patriotic aid to the furtherance of so good a work.

Hence proceeds the liberty, I now take, Honorable Sirs, in addressing myself to you—It is understood that the Company have in various instances so far countenanced Home Institutions of an obviously useful and benevolent character, as to permit the knowledge of them to be communicated through the channel of their Governments to the Indian public, and to direct that the Funds contributed to them there should be received from the Agents employed in the collecting them into the Company's Treasuries, and remitted to England by Bills on the Court of Directors.

This is the favor which I am instructed by the Society for the Education of the Poor in the Highlands, to solicit of your Honorable Court, and I do so with more encouragement because these people are, I may presume to think, not unknown to the Company, and I may hope not indifferent to them, since their race has not only shared in all the Fields of Eastern Warfare by which the Company have acquired so much dominion and renown, but contributed by its valour and its blood to the happy Security now enjoyed both in India and at home. I have the honor to be, Honorable Sirs, your most obedient humble Servant,

(Signed) J. A. STEWART MACKENZIE, President,  
By Command of His Excellency the Most Noble the Governor General in Council.

C. LUSHINGTON, Aetg, Chief Sec. to the Govt.

### Government Orders.

TERRITORIAL DEPARTMENT, OCTOBER 17, 1822.  
Mr. J. M. Macnabb, Collector of Government Customs and Town Duties  
at Mirzapore.

NOVEMBER 1, 1822.

Mr. T. C. Plowden, Salt Agent of the 24 Pergunnahs.  
Mr. W. Trower, Salt Agent of Bullooh and Chittagong, and Ex-Officio  
Collector of Bullooh.

### MILITARY.

General Orders, by His Excellency the Most Noble the Governor General in Council.

FORT WILLIAM, NOVEMBER 2, 1822.

The Governor General in Council is pleased to assign Rank to the following 2d Lieutenants, Cornets, Ensigns, and Assistant Surgeons, from the dates expressed opposite to their names respectively:

Artillery.—2d-Lieutenants Charles Henry Wiggins, Wynne George Lewis (not arrived), Thomas Pickop Ackers, and Phillip Bowles Buriton, 19th December, 1820. 2d-Lieutenant Nicholas Hall Monkhouse, 18th April, 1821. 2d-Lieutenants Harry Burrard Dalzell, Erroll Blake, James Richard Greene, John Raithby Revell, John Theophilus Lane, George Hart Dyke, Julius Brockman Backhouse, Edward Madden, Edward Henry Ludlow, and Hampden Nicholson Pepper, 9th June, 1821.

Cavalry.—Cornet Charles O'Hara, 19th June, 1821. Cornets Charles Digby Dawkins, Archibald Lorne Campbell, and Glass Kennedy, 4th July, 1821. Cornet Charles Devayne Blair, 1st December, 1821. Cornet Henry Halked, 3d December, 1821. Cornets Phillip Schalch, John Inglis, and George Ridge, 19th January, 1822. Cornet John Jackson, 10th March, 1822. Cornets Alexander Maxwell Key, and Gilbert Coventry Streynsham Master, 17th March, 1822. Cornet Nathaniel Dunbar Barton, 1st May, 1822.

Infantry.—Ensign Henry Charlton, 21st May, 1821. Ensign Hugh Todd, 1st June, 1821. Ensigns Henry Francis Broderip, and Phillip Goldney, 11th June, 1821. Ensign Alexander Webster, 21st June, 1821. Ensign William Macgeorge, 23d June, 1821. Ensign William Henry Leacock, Robert Codrington, James Chicheley Plowden, William Tritton, Henry Fowle, James Hannay, and Francis Thomas, 4th July, 1821. Ensigns George Burford, John Cates, (deceased) and William Clifford, 3d September 1821. Ensign William Fretby,

12th September 1821. Ensigns Frederic Moore, and John Assey Fairhead, 29th September 1821. Ensigns James Matthie, Francis Trimmer, Alfred Arabin, and William Mills Tritton, 24th October 1821. Ensigns Hugh Augustus Boscowen, and Henry Stone, 27th November 1821. Ensigns Francis Hewitt, and George Turnbull Marshall, 1st December 1821. Ensigns William Robert Corfield, Thomas Janes Rocke, Kenneth Camubell, Alexander Stewart Singer, Charles Bastard Hall, Thomas Gear, and Archibald Campbell Denniston, 3d December 1821. Ensigns Joseph Peacocke, Frederick Vaughan McGrath, Martin Thomas West, William Tazza Savary, and William Reveley Milford, 9th December 1821. Ensigns George Moyle Sherer, and William Carlton Ormsby, 26th December 1821. Ensigns Augustus Leycester Barwell, 14th January 1822. Ensigns Frederick St. John Sturt, John Hindson, Farquhar Macrae, Ferdinand Charles Milner, and Henry FitzSimons, 18th Jan. 1822. Ensigns John Henry Sankey, Harry Meggs Graves, George Dempster Johnstone, John Campbell, Henry Moore, John Brown Robinson, David Cabel Keiller, Frederick Knyvett, and Francis Winter, 19th Jan. 1822. Ensign John Studholme Hodgson, 3d February 1822. Ensigns Roderick Macdonald, Nathaniel Sneyd Nesbitt, and Charles James Francis Burnett, 23d February 1822. Ensigns Lawrence Constable Brown, D'Arcy Preston, and Daniel Bamfield, 26th February 1822. Ensigns Edward Jackson, the Honorable Henry Gordon, Charles Lumusdaine, Frederick Corrier, George Byron, David Ross, Henry Nelson Worsley, James Craigie, Edward DuPre Townshend, and John Dyson, 10th March 1822. Ensign William John Baptist Nygett, 28th March 1822. Ensign Henry Smith, 16th April 1822. Ensign Henry Lyell, 25th April 1822. Ensign Osborn Boydell Thomas, 7th May 1822. Ensign Charles Richard Eyre, 3d June 1822. Ensign Charles Henry Boisragon, 5th June 1822. Ensign William Hunter, 14th June 1822. Ensign Thomas Dalzell, 15th June 1822. Ensign James Burnett, 17th June 1822. Ensigns James Rundell Bigge, and Alexander Eneas Campbell, 19th June 1822. Ensign William Glen, 5th July 1822. Ensign William Edmund Hay, 19th July 1822. Ensign Richard Nelson, 26th July 1822. Ensign George Munro Forbes, 1st August 1822. Ensign Samuel Stapleton, 2d August 1822. Ensign John Chesney, 7th August 1822. Ensigns Robert Crofton, and Robert Smith, 23d August 1822. Ensign John Woolmore Michell, 27th August 1822. Ensign William Henry Robson Boland, 29th August 1822. Ensign Isaac Henley Handscomb, 12th September 1822. Ensigns Bowyer Stewart, Robert Riddell, Thomas William Bolton, James Molony, and William Brownlow, (not arrived,) 13th September 1822. Ensign Robert Menzies, (ditto) 26th September 1822. Ensign George Craven Armstrong, 30th September 1822.

Medical Department.—Assistant Surgeon Duncan McGalman, (deceased) 16th July 1822. Assistant Surgeon William Fraser, 3d September 1821. Assistant Surgeon George Murray Paterson, 21st September 1820. Assistant Surgeons Thomas Drever, M. D. and Anthony Pringle, M. D. 24th November 1820. Assistant Surgeon William Grime, 2d January 1821. Assistant John Cockerell Paterson, 16th January 1821. Assistant Surgeon Benjamin Bell, and William Mitchelson, 31st January 1821. Assistant Surgeon Walter Glass, M. D. 4th February 1821. Assistant Surgeon David Pullar, 10th February 1821. Assistant Surgeons Charles Mackinnon, (Junior) and Thomas Charles Harrison, 9th March 1821. Assistant Surgeon Francis Gold, 21st March 1821. Assistant Surgeon John Ruxton Buchanan, 4th April 1821. Assistant Surgeon Robert Bransby Francis, 15th April 1821. Assistant Surgeons Donald Butter, M. D., William Wright Hewett, M. D., George Hunter, and Charles Dennis, 5th May 1821. Assistant Surgeons Duncan, and William Edward Carte, A. B., 3rd June 1821. Assistant Surgeons Edmund Tomkins Harpur, and Henry Cavel, 11th June 1821. Assistant Surgeon Andrew Simon, M. D., 25th June 1821. Assistant Surgeon James Barker, 27th June 1821. Assistant Surgeons Alexander Stenhouse, M. D., George Simms, Benjamin Bart, M. D., Richard Nossiter Burnard, and John Dalrymple, 4th July 1821. Assistant Surgeon Graven Turnbull, 14th July 1821. Assistant Surgeons James Watson Boyd, Adam Macdougall, and Alexander Kyd Lindeay, 3rd July 1821. Assistant Surgeons Robert Grahame, and Thomas Forrest, 29th July 1821. Assistant Surgeon Morgan Powell, (not admitted,) 21st November 1821. Assistant Surgeon William Graham, 1st December 1821. Assistant Surgeon Charles Barton Horne, 20th December 1821. Assistant Surgeons Donald Campbell, Hezekiah Clark, John Leslie, and James Laing, 19th January 1822. Assistant Surgeon John Davidson, 19th March 1822. Assistant Surgeon Charles Mottley, 31st March 1822. Assistant Surgeon William Corbet, 2d April 1822. Assistant Surgeon John Park Barnett, 8th May 1822. Assistant Surgeons James Ronald, (not arrived), and John Yeatman, (ditto), 14th May 1822. Assistant Surgeons James Innes, M. D. (not arrived), and Alexander Menzies, (ditto), 28th May 1822.

The Governor General in Council has been pleased to accept the Proposals of Contract tendered by Collypersaud Dutt, in pursuance of a Public Advertisement, dated the 6th August last, for the Supply of Sloop for the transportation of Troops, Stores, Provisions, &c. from Calcutta to Ships at Diamond Harbour, Kedgeroo, New Anchorage, and Sanger Roads, and from Ships at those places to Calcutta, for a period of three Years, from the 25th August 1822.

#### FORT WILLIAM, NOVEMBER 7, 1822.

Major Kerin, of the Furruckabad Provincial Battalion, having renewed his Application for leave of Absence, the temporary Appointment of Captain Baines to the Barely Battalion, as directed in General Order of the 8th ultimo, will not take place : Captain Baines will accordingly continue in Charge of the former Corps should he not already have proceeded to Barely, in which case he will return to the temporary Command of the Furruckabad Corps on the receipt of this order.

Major Kerin's leave of Absence for Six Months is to date from the 1st ultimo.

#### FORT WILLIAM, NOVEMBER 9, 1822.

With reference to General Order of the 22d last August, the Most Noble the Governor General in Council desires it to be understood, that, when the disbursing Officer was directed "to consider it an imperative part of his duty to explain to the Horse-dealer, &c. &c." It was not intended thereby to prevent Officers or other Gentlemen from tendering Horses for the Service.

Horses may consequently be tendered by others than Native dealers : and in such cases, the Certificate called in the concluding paragraph of the abovementioned General Order, is to be omitted as unnecessary. A Certificate on Honour however is to be annexed to the Bill, by the owner of the Horse, stating, that he was not purchased by him for the purpose of being sold into the Service.

The resignation of the Situation of Apothecary to the Hon'ble Company, tendered by Surgeon John MacWhirter, M. D.—preparatory to his departure for Europe, having been accepted by Government ; His Lordship in Council is pleased to nominate Surgeon James Hare, M. D. to that Appointment, which is to have effect from the date of the Dispatch of the Ship on which Dr. MacWhirter may embark.

Dr. Hare is however to take immediate charge of his Appointment, to enable Dr. MacWhirter to adjust all accounts with Departments of Pay and Audit, connected with his Situation as Apothecary to the Hon'ble Company.

The Governor General in Council is pleased to make the following Appointment.

Assistant Surgeon Henry Cavell to perform the Medical duties of the Civil Station of Dacca Jellalpore, vice Assistant Surgeon R. B. Francis attached to the Civil Station of Jessoro.

Rank is assigned to the undermentioned Ensigns, from the dates expressed opposite to their Names respectively :

Infantry :—Ensign Robert Warden Fraser, 4th October 1822. Ensign Gerard Edward Van Hoythuysen, 17th October 1822. Ensign Richard Chitty, 18th October 1822.

The undermentioned Assistant Surgeons are admitted to the Services on this Establishment, in conformity with their Appointment by the Honorable the Court of Directors :

Medical Department.—Mr. James Ronald, date of arrival in Fort William, 3d November 1822. Mr. Edward Jordan Yeatman, M. D. date of arrival in Fort William, 3d November 1822.

The following Officers have returned to their duty on this Establishment, by permission of the Honorable the Court of Directors without prejudice of their rank :

Captain Robert Smith of the Corps of Engineers, date of arrival in Fort William, 30th October 1822.

Lieutenant Charles Penrose of the 27th Regiment Native Infantry, date of arrival in Fort William 23d September 1822.

Mr. Nathaniel Morgan, having satisfied Government on the several points of qualification required by the Honorable the Court of Directors in the 4th Para. of their General Letter in the Military Department dated the 6th March 1822, and published in General Orders of the 17th July last, is admitted to the Service as an Assistant Surgeon, from the 12th ultimo.

Brevet Captain Nicholas Penny, of the 14th Regiment Native Infantry, is permitted to proceed to Europe on Furlough on account of his health.

The additional Leave of Absence obtained by Assistant Surgeon Jackson, in General Orders of the 18th July last is extended for a further period of Six Months from the 30th July 1822, on account of his health.

Ensign James Roxburgh, of the 24th Regiment Native Infantry, is permitted, under the peculiar urgency of his Case, to proceed to Europe on Furlough, for one year, on his private affairs, without pay, by the earliest opportunity.

(Signed) W. CASEMENT, Lt. Col. Sec. to Mil. Dept.

*General Orders, by the Commander in Chief, Head-quarters; Calcutta, November 5, 1822.*

The leave of Absence granted on the 8th ultimo to Brevet Captain Orr, of the 1st Battalion 19th Regiment, to proceed on the River on Medical Certificate, is commuted to leave to proceed to the Presidency previously to making an application for permission to proceed to Sea.

# ASIATIC DEPARTMENT.

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The undermentioned Officers have leave of Absence.

1st Battalion 19th Regiment.—Major Doveton, from 16th October, to 16th November, to remain at the Presidency.

2d Battalion 19th Regiment.—Lieutenant Lawrence, from 8th November, to 31st December, to enable him to rejoin his Corps.

Head-quarters, Calcutta; November 6, 1822.

At an European General Court Martial assembled at Nusseerabad on Friday the 11th day of Oct. 1822, of which Lieutenant-Colonel M. Fitzgerald, 3d Light Cavalry, is President, Lieutenant Robert Collins MacDonald of the 1st Battalion 25th Regiment Native Infantry, was arraigned upon the undermentioned Charges; viz.

"For disouedience of the General Orders of the 21st December 1820, in the following instances:"

First. "In having on or about the 4th of March 1821, being then stationed at Loodianah, borrowed certain Sums of Money amounting to One Hundred and two Rupees (102) from Rambuccus Misser, Havildar of the 5th Company 1st Battalion 25th Native Infantry.

Second. "In having at different periods subsequent to the promulgation of the General Orders above averted to, borrowed certain Sums of Money from Rajah Ram Dobay Havildar, Bowanny Deen Havildar; Baldeo Pandy Sepoy, and Ousau Opadiyah Sepoy, Non-Commissioned Officers and Sepoys, of the Battalion to which he belongs."

Under which Charges the Court came to the following decision;

*Finding and Sentence.*—"The Court after mature deliberation, is of opinion that the Prisoner is Guilty of the Charges exhibited against him, and does therefore sentence him, Lieutenant Robert Collins MacDonald, to be suspended from Rank and Pay for the period of Four Calendar Months."

Approved, (Signed) HASTINGS.

Remarks and Orders by His Excellency the Most Noble the Commander in Chief.

From the consideration urged by the Court, and from extenuatory circumstances in the Case of the Prisoner, the sentence is remitted.

Lieutenant McDonald is to be released from arrest, and to return to his duty.

W. G. PATRICKSON, Dep. Adj't. Gen'l. of the Army.

Head-quarters, Calcutta; Nov. 6, 1822.

At a Native General Court Martial assembled at Mhow in Malwa on Tuesday the 24th day of September 1822, Bisram Khan, Sepoy, 1st Battalion 28th Regiment Infantry, was arraigned upon the undermentioned Charge; viz.

"For having at Mhow in Malwa on or about the 22d day of July 1822, Murdered or assisted in Murdering Gunga Sing, Sepoy of the same Corps."

Upon which Charge the Court came to the following decision:

*Finding.*—"The Court having duly weighed and considered the Evidence adduced on the part of the Prosecution, together with what the Prisoner Bisram Khan, Sepoy, 1st Battalion 28th Regiment Native Infantry, has urged in his defence with the Evidence in support thereof, are of opinion that he Bisram Khan, Sepoy, 1st Battalion 28th Regiment Native Infantry, is Guilty of the Crime exhibited against him."

*Sentence.*—"The Court having found the Prisoner Guilty, do Sentence him Bisram Khan, Sepoy, 1st Battalion 28th Regiment Native Infantry, to suffer Death by being Hanged by the Neck until he is dead, at such time and place as His Excellency the Most Noble the Commander in Chief, or Officer approving these Proceedings, may be pleased to direct."

Approved and Confirmed, (Signed) HASTINGS.

The Sentence of Death awarded to Bisram Khan, Sepoy in the 1st Battalion 28th Regiment Native Infantry, is to be carried into effect agreeably to instructions furnished to the Officer Commanding the Western Division of the Army.

Before the same Court Martial re-assembled at Mhow in Malwa on Wednesday the 9th day of October 1822, Deenah Khan, Sepoy, 1st Battalion 28th Regiment Native Infantry, was arraigned upon the undermentioned Charge; viz.

"For having at Mhow in Malwa on or about the 22d day of July 1822, Murdered or assisted in Murdering Gunga Sing Sepoy, of the same Corps :

Upon which Charge the Court came to the following decision:

*Finding.*—"The court having duly weighed and considered the Evidence adduced on the Prosecution, together with what the Prisoner Deenah Khan, Sepoy, 1st Battalion 28th Regiment Native Infantry, has urged in his defence, with the Evidence in support thereof, are of opinion, that he Deenah Khan, Sepoy, 1st Battalion 28th Regiment Native Infantry, is Guilty of the Crime exhibited against him."

*Sentence.*—"The Court having found the Prisoner Guilty, do Sentence him Deenah Khan, Sepoy, 1st Battalion 28th Regiment of Native Infantry, to suffer death, by being Hanged by the Neck, until he is Dead at such time and places, as His Excellency the Most Noble the Com-

mander in Chief, or Officer approving these Proceedings may be pleased to direct."

Approved, (Signed) HASTINGS.

Remarks by His Excellency the Most Noble the Commander in Chief.

The Commander in Chief has approved the Sentence on Deenah Khan, who indubitably appears by the Evidence to have been an Accomplice in the deliberate Murder of his Comrade. His Excellency, however, observes, that encouragement was held out to Deenah Khan of safety for himself if he would come forward with a discovery of the actual Perpetrator of the Murder: In reliance upon which assurance the Prisoner gave Evidence against Bisram Khan. Unauthorised as was the hope so given, the Commander in Chief cannot overlook what he gathers from the Proceedings on Bisram Khan's Trial; namely that there would have been little chance of bringing the crime home to Bisram Khan, but for the Testimony of Deenah Khan, in delivering which the latter furnished Proofs of his own participation of the Guilt not likely to have been otherwise attainable. His Excellency, therefore, cannot order the Execution of Deenah Khan, but directs that he (Deenah Khan) shall be ignominiously turned out of the Service and be led out of the Cantonment with a Halter round his Neck.

At a Native General Court Martial assembled at Kamptee on the 12 of October 1822, Dusserut Pandeh, Sepoy 8th Company 1st Battalion 9th Regiment Native Infantry, was arraigned upon the undermentioned Charges; viz.

1st.—"For desertion in making his escape on the Morning of the 14th August 1822, between the hours of 3 and 5 o'clock from the Quarter Guard of the Detachment of the 1st Battalion 9th Native Infantry on duty at Soonee (in which he had been confined by Lieutenant Day, Commanding, on suspicion of theft,) and not returning until brought back by a Guard on the Evening of the 28th August 1822.

2d.—For taking with him at the time of his desertion (viz. 14th August 1822) his new Regimental Coat the property of the Honorable Company."

Upon which Charge the Court came to the following decision:

*Finding and Sentence.*—"The Court having duly weighed the Evidence that has appeared before it, is of opinion that the Prisoner Dusserut Pandeh is Guilty of both the Charges exhibited against him, and Sentences him to receive 500 lashes in the usual manner at such time and place as His Excellency the Commander in Chief may deem proper."

Approved and Confirmed, (Signed) HASTINGS.

The punishment awarded to Dusserut Pandeh is to be inflicted at such time and place, and in such proportion, as the Officer Commanding the Nagpore Subsidiary Force may think proper.

Before the same Court Martial re-assembled at Kamptee on the 14th of October 1822, Bijonan Opudeah, Sepoy, 8th Company 1st Battalion 9th Regiment Native Infantry, was arraigned upon the undermentioned Charge; viz.

"For most gross and culpable neglect of duty on the Morning of the 14th of August 1822, between the hours of 3 and 5 o'clock, while Sentry at the Quarter Guard of the Detachment of the 1st Battalion 9th Native Infantry on Command at Soonee, in permitting the escape of Dusserut Pandeh, Sepoy of the same Company and Corps, confined therein on suspicion of theft, and not alarming the Guard at the time of the said Dusserut Pandeh's escape."

Upon which Charge the Court came to the following decision:

*Finding.*—"The Court having maturely weighed the Evidence for the Prosecution, together with what the Prisoner has urged in his defence, is of opinion that the Prisoner is not Guilty of the Crime laid to his Charge, and acquits him accordingly."

Approved, (Signed) HASTINGS.

Head-quarters, Calcutta; Nov. 8, 1822.

Cornet N. D. Barton is at his own request removed from the 6th to the 4th Regiment Light Cavalry at Kurnaul.

Gentleman Cadet Fredk. Bennett is appointed to do duty with the 2d Battalion 23d Regiment Native Infantry at Dinapore.

The undermentioned Officers have leave of Absence:

Ordnance Commissariat,—Dy-Commissary Moran, from 20th November, to 20th January 1823, to the Sand Heads, on Medical Certificate.

1st Battalion 16th Regiment,—Lt. S. Boileau, from 15th October, to 15th December, to remain at Benares, before proceeding to join his Corps.

5th Light Cavalry,—Cornet J. Jackson, from 9th November, to 9th January 1823, in extension, to remain at the Presidency, on urgent private affairs.

Captain Grant, of the 2d Battalion 28th Regiment Native Infantry, is appointed to Command the Palace Guards at Delhi during the absence on leave of Major Macpherson.

*Head-quarters, Calcutta; Nov. 9, 1822.*

A Committee of Cavalry Officers is to assemble at Ghazepore on the 12th of January next, for the purpose of admitting into the Service such Horses as they shall deem fit for it, from those submitted to their Inspection by the Officers of the Government Stud.

2. The Committee is to be framed as follows, and the Officers composing it will be entitled to Boat Allowance under the limitation prescribed in General Orders of 14th April 1821.

President,—Major Shubrick, 1st Regiment Light Cavalry.

Members.—A Captain from the Horse Artillery. Lieutenant Dibdin, 3d Light Cavalry, now at the Presidency. Captain Milne, 11th Light Dragoons, now at the Presidency. Captain Honwood, 7th Light Cavalry, now at the Presidency.

3. Horses admitted are to be branded on the near shoulder with the mark of the Regiment to which they are allotted in presence of the Committee before they are delivered over to the Officer appointed to take charge of them.—The Horses rejected by the Committee will remain under charge of the Superintendent of the Stud, to be disposed of as Government many think proper to direct.

4. The Proceedings of the Committee are to be transmitted to the Adjutant General of the Army in Duplicate, for the inspection and Confirmation of the Commander in Chief. After closing and transmitted their Proceedings, the Committee is to be considered as dissolved—and the Officers appointed to the charge of the Horses are to move towards their respective destinations with as little delay as may be practicable.

5. The Horses passed into the Service are to be allotted to the Horse Artillery, Dragoons, and Native Cavalry, agreeably to the rule laid down in the 17th Article of General Orders by Government of the 7th October 1817, and under detailed instructions which will be communicated to the President from Head-quarters.

6. After the distribution is ended the Officer of the Horse Artillery will take charge of the Horses for that Corps and the 4th Light Cavalry and proceed with them to Meerut.—Major General Reynell will give orders, at the proper time, for an Officer of the 4th Regiment being detached to receive charge of the Horses for that Corps on their arrival at Meerut.

7. Major Shubrick will take charge of the Horses for the 1st Regiment Light Cavalry.

8. Captain Milne of his Majesty's 11th Light Dragoons will take charge of the Horses allotted to that Regiment, and to the 16th Light Dragoons, and will deliver over the latter at Cawnpore to the Commissariat.

9. Lieutenant Dibdin will take charge of the Horses for the 3d and 5th Regiments of Light Cavalry, and deliver over those of the latter at Muttra.

10. Captain Honwood will take charge of the Horses for the 2d, 8th, 6th, and 7th Regts. of Light Cavalry, and proceed with the whole by Mirzapore to Lohargung, where he will deliver over the Horses for the 2d Cavalry to the Officer Commanding the detached Squadron at that post. The Officer Commanding the 8th Regiment Light Cavalry will in due time detach an Officer with a party of dismounted Troopers to await Captain Honwood's arrival at Lohargung, and to receive charge of the Horses for that Regiment, with which he will proceed via Jubbulpore to Nagpore.

11. Major-General Sir D. Ochterlony will be pleased to detach an Officer from Mhow with a party of dismounted Troops to meet Captain Honwood at Bhopalpore, or such other point as the Major-General may think fit, and to take charge of the Horses for the 6th Regiment Light Cavalry.

12. The Officers proceeding in charge of Remount Horses will be held responsible for their Condition, a report on which is to be made by the Officers Commanding the several Regiments on their arrival at their Head-quarters.

13. Suitable Escorts will be provided by the Officers Commanding Districts on the requisition of the Officers in Charge of Remount Horses. The Commissariat will make arrangements for their being supplied with their daily Provision of Gram on the road, and with the requisite number of Syces and Grasscutters.

Ensign Richard Chitty is removed from the 9th to the 1st Regt. Native Infantry, and posted to the 2d Battalion of the Corps. Ensign Chitty is permitted to do duty with the 1st Battalion of his Regiment until further orders.

The Committee of which Captain Cheape of Engineers is President, is to re-assemble on Monday Morning at Ballygunge, to survey the Repairs which have been made to the Cantonment Roads by Captain Swinton.

The Commander in Chief is pleased, under the particular circumstances of the case, to permit Cornet A. L. Campbell to decline the transfer from the 1st to the 2d Regiment Light Cavalry, notified in General Orders of the 23d ultimo—Cornet John Inglis is therefore posted to the 2d Regiment Light Cavalry as 8th Cornet, the place to which he would have fallen had the removal of Cornet Campbell not taken place, and directed to join the Corps at Keitah by water.

Assistant Surgeon J. R. Buchanan is posted to the 2d Battalion 11th Native Infantry, vice Bellamy deceased, and directed to join.

The Commander in Chief is pleased to sanction an Exchange of Stations between conductors O'Brien and Watson, the former is accordingly posted to the Cawnpore, and the latter to the Allahabad Magazine, and directed to join.

The undermentioned Officers have Leave of absence:

1st Battalion 7th Regiment.—Lieutenant Thornton, from 15th November, to 15th January 1823, to visit the presidency, on urgent private affairs.

2d Battalion 30th Regiment.—Lieutenant Turner, from 1st October, to 1st April, 1823 to visit the presidency, on Medical Certificate. This cancels Lieutenant Turner's leave to the Presidency on private affairs in General Orders of 7th August last.

1st Battalion 8th Regiment.—Assistant Surgeon Macnean, from 15th Nov. to 15th January 1823, to Benares on urgent private affairs.

*Head-quarters, Calcutta; November 6, 1822.*

The following Postings and Removal of Officers to take place in the Regiment of Artillery:

Captain Thomas Timbrell (new promotion) to the 8th Company 1st Battalion.

Lieutenant H. Garbett to the 5th Company 1st Battalion.

Captain G. Brooke is removed from the 8th Company 1st Battalion to the 2d Company 3d Battalion.

The leave of absence granted to Lieutenant C. Duffin, in General Orders of the 26th September last, is cancelled at his own request.

Lieutenant Farquharson, of the 2d Battalion 3d Native Infantry, is appointed to the charge of the Young Officers under orders to join Corps in the Upper Provinces in the room of Ensign Bartleman, who, from severe indisposition, is unable to proceed.

Lieutenant Farquharson will immediately proceed to Barrackpore and relieve Ensign Bartleman from the duty, reporting his assumption thereof, and departure in progress, to the Acting Adjutant General.

Brevet-Captain and Adjutant Gardner, of the 2d Battalion 7th Regiment Native Infantry, is appointed to officiate as Interpreter to the Detachment of Recruits for His Majesty's Regiments proceeding to the Upper Provinces by water under the Command of Lieutenant-Colonel McLain of the 14th Foot, to whom Captain Gardner will report himself accordingly.

The undermentioned Officers have leave of Absence:

Invalid Establishment,—Lieutenant-Colonel Franklin, Regulating Officer, Bhaugpore, from 20th November, to 1st February 1823, to visit the Presidency, on private affairs.

2d Battalion 19th Regiment.—Ensign Bartleman, from 6th November, to 6th December, to remain at the Presidency, on Medical Certificate.

Invalid Establishment,—Lieutenant-Colonel A. Maxwell, Regulating Officer, Chittagong, from 5th November, to 5th January 1823, to visit the Presidency, on Medical Certificate.

Sirmoor Battalion,—Captain F. Young from 25th November, to 25th March 1823, to visit the Presidency, on private affairs.

*Head-quarters, Calcutta; November 11, 1822.*

Lieutenant Allan Ramsay is removed to the 1st, and Lieutenant G. F. Vincent to the 2d Battalion 9th Regiment.

Ensign W. H. R. Boland, of the 2d Battalion 6th Native Infantry, is directed to proceed by water to join his Corps at Goorgong.

The leave of absence granted to Lieutenant Colonel Franklin, Regulating Officer of the Invalid Tannahs at Bhangpore, in General Orders of the 6th instant, is cancelled at his request.

W. L. WATSON. Acting Adjt. Gen. of the Army.

*Head-quarters, Calcutta; November 6, 1822.*

Orders by Colonel Adams Commanding at Nagpore, appointing the undermentioned Officers of the 24th Foot now under his Command, to do duty with Volunteers from that Corps for His Majesty's Regiments in India, are confirmed.

Brevet Major Meacham to Command the Detachment for the Bengal Presidency.

Lieutenant Barton Peake, and Dore, ditto.

Lieutenant Grant to Command the Detachment for the Madras Presidency.

Lieutenant Dore to act as Adjutant and Quarter Master to Major Meacham's Detachment, and Assistant Surgeon Kearney to the Medical Charge of it.

Captain Wilson of the 38th Regt. to join and do duty with the same party.

The above temporary arrangements to have effect from the 16th ultimo.

Lieutenant Cox, of the 87th Regt. upon being relieved from the duty he is now employed on in Fort William, is directed to rejoin his Corps, at Ghazepore.

## Friday. November 15, 1823.

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*Head-quarters, Calcutta; November 8, 1822.*

The Embarkation of the details for his Majesty's Regts. in the Upper Provinces ordered, with the sanction of Government, to embark on the 10th instant, is countermanded until the 13th instant, when it will take place.

*Head-quarters, Calcutta; November 9, 1822.*

The Most Noble Commander in Chief in India is pleased to make the following Promotion and Appointment until His Majesty's pleasure shall be known.

4th Light Dragoons.—Lieutenant Robt. Burrowes to be Capt. of a Troop without purchase, vice Jarmy deceased, 27th Sept. 1822.

Lieutenant Charles Hastings Doyle from the 67th Regiment to be Lieutenant without purchase, vice Robert Burrowes promoted, 27th Sept. 1822.

The Most Noble the Commander in Chief in India is pleased to make the following Promotions and appointments, until His Majesty's pleasure shall be known.

13th Light Dragoons.—Cornet Robert Ellis to be Lient. without purchase vice Wm. Augs. Brown, deceased, 5th Oct. 1822.

Ensign Rawdon Lawrie, from the 46th Foot to be Cornet without purchase, vice Robt. Ellis promoted, ditto.

20th Foot.—Paymaster William Campbell from the 24th Foot to be Paymaster, vice Alex. Tovey, who exchanges, 10th Oct. 1822.

24th Foot.—Ensign Jas. A. Campbell to be Lieutenant without purchase, vice Peake removed to the 59th Regt. 25th Oct. 1822.

Addleby Shaw, Gent. to be Ensign with purchase vice Jas. A. Campbell promoted, ditto.

Paymaster Alex. Tovey from the 20th Foot to be Paymaster, vice Wm. Campbell, who exchanges, 10th Oct. 1822.

46th Foot.—Ensign Robert Campbell to be Lieutenant without purchase, vice John Campbell, 2d, removed to the 11th Dragoons, date to be hereafter announced.

Roger Swetenham, Gent. to be Ensign without purchase, vice Robt. Campbell promoted, ditto.

53d Foot.—Captain Wm. J. Rea from the 51st Foot to be Captain, vice Mathew Young, who exchanges, 25th Sept. 1822.

54th Foot.—Captain Mathew Young, from the 53d Foot to be Captain, vice W. J. Rea who exchanges, 25th September, 1822.

59th Foot.—Lieutenant J. H. Peake from the 24th Foot to be Lieutenant without purchase, vice Barlow removed to the 30th Foot, 25th Oct. 1822.

*Head-quarters, Calcutta; November 9, 1822.*

At a General Court Martial assembled at Bombay on the first of October 1822, of which Major General R. Cooke, of the Honorable Company's Service was President, and the following Officers Members:

Lieut.-Colonel J. Ogilvie, C. B., H. M. 20th Regiment. Lieut.-Colonel R. G. Elington, H. M. 47th Regiment. Lieut.-Colonel G. McKiouchie, 1st or Mar. Battalion 11th Regiment. Lieut.-Colonel N. Warren, C. B., H. M. 47th Regiment. Lieut.-Colonel J. W. O'Donoghue, H. M. 47th Regiment. Lieut.-Colonel R. Whish, Artillery. Major W. Onslow, H. M. 4th Light Dragoons. Major G. Tovey, H. M. 20th Regiment. Major J. Hogg, H. M. 20th Regiment. Major S. R. Straker, Artillery. Captain L. R. Russel, ditto. Captain G. Rotton, H. M. 20th Regiment. Captain James White, ditto ditto. Captain James Goldfrap, ditto ditto.

Lieut.-Colonel William Robison, of His Majesty's 24th Regiment of Foot, was brought to Trial on the following Charges preferred by order of the Most Noble the Commander in Chief in India.

1st. For conduct incompatible with the Duty of an Officer, in traducing the Government under which His Majesty's Orders had placed him, by describing, and characterising a Public Resolution, and measure of that Government, relative to Lieutenant Colonel Robison as a Military Officer, as "an unwarrantable, tyrannical exercise of authority, which reduces every Officer in India to a state of slavery equal to that of the Gentlemen in the Russian Service," the above malignant expressions forming part of the first paragraph of a Letter dated 9th June 1822, addressed, and sent by Lieut.-Colonel Robison to and received by the Chief Secretary to the Supreme Government, and in which instead of offering any explanation of his Conduct, or soliciting any redress, he declares, that "he does not entertain the smallest hope of Justice or redress, from a Government capable of acting as the Government (as he therein alleges) had acted towards him."

2d. For having pointed insulting and scandalous remarks at the head of the Supreme Government, who was at the same time Lieut.-Colonel Robison's Military Commander in Chief, in the eighth paragraph of the above Letter; and in particular in stating, that he hoped the head of the Government would promulgate that it "is resolved to turn any Officer out of the Country at 24 hours notice, who dares to publish a single comment or sentiment, upon public affairs displeasing to them, no matter what motives actuated him: if the Government fancy it contains the least offensive matter, the Writer shall be turned

out of his House and Quarters like a Dog with the Mange at the point of the Bayonet, and left, sick or well, ready or not ready, to march off, and embark for Europe if the Sea Coast be 700 Miles distant."

3d. For abusive and grossly insubordinate language applied to and highly reflecting on the Commander in Chief on the 10th and 11th paragraphs of the above letter, charging the Commander in Chief with "taking to himself the peculiar merit of inflicting on him (Lieut.-Colonel Robison) truly despotic, degrading and inhuman measures," and accusing the Commander in Chief of "more inconsistencies, acts of injustice, and bare-faced abuses of power and patronage, during his Command of the Army in India, than are to be found in the annals of Military Transactions, for fifty years before he came out to India."

Whereupon the Court passed the following Sentence.

The Court having maturely weighed and considered all that has been adduced in support of the Prosecution, as well as what has been brought forward on the Defence, are of opinion that the Prisoner Lieut.-Colonel William Robison of His Majesty's Twenty-fourth Regiment, is Guilty of all, and every part of the Charges preferred against him, with exception of the word "Scandalous" contained in the second Charge, of which they do therefore acquit him.

The Court having found the Prisoner Guilty as above specified, do therefore, adjudge him the said Lieut.-Colonel William Robison, to be reprimanded in such manner as the Officer approving this Sentence may think proper.

The Court are induced to award this lenient Sentence in consequence of Lieut.-Colonel Robison's long and meritorious Services, and the high character which he has produced on his defence from the late Governor General as a confidential servant of Government.

(Signed) R. COOK, Major General and President  
Disapproved, (Signed) HASTINGS.

Remarks by His Excellency the Most Noble the Commander in Chief.

The Commander in Chief of all the Forces in India disapproves the above Sentence, from considering it to be incomensurate to the Crime found by the Court, and not disavowed by the prisoner as to be in His Excellency's opinion, a serious attaint to Discipline.

The Court exonerating the Prisoner only from the imputation of "Scandalous" attached to the Procedure set forth in the second Count pronounces Lieutenant Colonel Robison guilty of two offences; one, being an outrageous Insult to that Government, which under the orders of his Sovereign he was bound to reverence, and obey; the other being a virulent, and gross crimination of the Commander in Chief, applying unequivocally to His Excellency's official conduct in that character. Then to such flagrant Violations of Military Subordination, the Court awards a punishment appropriate solely to the lowest class of Deviations from Military Regularity.

To account for the extraordinary nature of the Sentence, the Court states its adverence to Lieut.-Colonel Robison's long and meritorious services. The consideration was not within the competence of the Court in the mode assumed. If such were the Court's opinion of Lieutenant Colonel Robison's professional deserts, it would have been fitly brought forward with a Recommendation grounded on it to clemency in the Quarter where alone the circumstances could be duly appreciated. But the Oath which each Member of a Court Martial takes, binds him to judge strictly on the substantiation and the degree of the crime submitted to his Verdict, and to pass such a Sentence upon it as the established Rules, or Practice of the Army prescribe in a special case of that quality without contemplating matter foreign to the immediate charge.

In this instance, the Court could not be blind to the Magnitude of the Transgression; and the extenuation was null.

When the Prisoner admitted the "Impudence and Impropriety" of the step he had taken, he expressed no Contrition; so that his sense of error appears to have extended merely to the consequences of which he supposed himself to be in peril. He simply accounts for the impetuosity of his language by saying, that he had written under the impulse of an irritated spirit, an excuse inadmissible in itself; while he defeats even that plea, by distinctly maintaining the principle on which he acted, in a manner that aggravates the original offence.

It is with pain the Commander in Chief of all the Forces in India pronounces these remarks. He would, however, deem himself essentially wanting in the discharge of his duty, did he not seek to counteract the dangerous encouragement in Insubordination, which the Sentence in question would afford, were not its correctness thus exposed.

Lieut.-Colonel Robison is to be freed from arrest, and the General Court Martial is to be dissolved.

The foregoing Order is to be entered in the General Order Book and read at the head of every Regiment in His Majesty's Service in India.

The Head-Quarters with 5 Companies of the 44th Regiment arrived from England on the Honourable Company's Ship WINCHELSEA under the Command of Brevet Col. and Lieut.-Col. Morrison, will, with the Sanction of Government, be disembarked as soon as practicable.

Upon the arrival of the Troops off, or near Calcutta, a report is to be made to the Town Major of Fort William, with a Return of the Troops.

*Head-quarters, Calcutta; November 10, 1822.*

The Most Noble the Commander in Chief in India is pleased to make the following Appointments, until His Majesty's pleasure shall be known.

*14th Foot.*—Brevet Colonel and Lieut.-Col. W. T. Edwards from the 17th Foot to be Lieut.-Col. vice Archd. Maclaine who exchanges, 4th November 1822.

*17th Foot.*—Lieutenant-Colonel Archd. Maclaine, C. B. from the 14th Foot, to be Lieutenant-Colonel, vice W. T. Edwards who exchanges, 4th November 1822.

Brevet Colonel (and Lieut.-Colonel) Edwards of the 14th Foot, will take immediate Command of the Details for His Majesty's Regiments in the upper Provinces to embark on the 13th instant, and he will, instead of Lieut.-Colonel Maclaine, proceed with them by Water from Calcutta, to Cawnpore under the instructions laid down in General Orders No. 2737, of the 24th ultimo.

*Head-quarters, Calcutta; November 11, 1822.*

The Head-Quarters of the 16th Lt. Dragoons (Lancers) arrived from England on the Honorable Company's Ship *MARCHIONESS OF ELV* under the Command of Brevet Colonel and Lieut. Colonel Newberry, will, with the Sanction of Government be disembarked as soon as practicable.

Upon the arrival of the Troops off, or near Calcutta, a Report is to be made to the Town Major of Fort William, with a Return of the Troops.

By Order of the Most Noble the Commander in Chief.

THOS. McHAHON, Col. A. G.

### Selections.

*Madras, October 29, 1822.*—Contrary to general expectation the Ship *DAVID SCOTT* has not made her appearance, and taking into consideration the strong Northerly winds that have prevailed for the last six days, it is very improbable that she will be able to touch at this Port—it is likely that she is even now on her way to Bengal direct. On the 25th of October last year the Ships *CATHERINE* and *SOPHIA*, which sailed from England the 8th of June, were compelled to put into Pondicherry having in vain attempted to make the Port of Madras. Some of the expected Ships this year will probably be obliged to follow a similar course. It would seem, however, that the winds are still variable and unsettled in the Bay, for on reference to the Calcutta Shipping reports we find under the head of Saugor October 5th that the *VICTORY* and *NANCY* had both passed to Sea bound for Madras; and unless they have passed the Port we know not how to account for their non-arrival. The state of the Weather continued unusually favorable for Shipping frequenting this Port, until Saturday, when an approaching change was apparent—The Monsoon fairly set in on Sunday night, since which a great fall of rain has taken place. The currents ran with considerable force yesterday, but the surf was not particularly high, and the wind has fortunately continued moderate.

*Supreme Court.*—For the information of our readers at a distance from the Presidency who may be interested in the Estates of persons which have been administered by the Registrar, we notice that at a Special Court held on Tuesday last pursuant to Act of Parliament, the half yearly accounts and Schedules of Estates were examined, passed and ordered to be registered, published, and transmitted to Government to be sent to the India House for the benefit of those concerned. On the same day Sir Willingham Franklin took the oaths of office under the customary salute; and John Savage, Esq. of the Middle Temple, having produced his Covenant and the necessary credentials of his profession, was sworn and admitted to practise as a Barrister at Madras.—*Madras Courier.*

*The Fortunes of Nigel.*—It has been said, that the publisher of Sir WALTER SCOTT's last Novel, "The Fortunes of Nigel," sold the first day 8,000 volumes; and the present demand for Sir WALTER's Novel productions, not only for the United Kingdom, but also for the East and West Indies, North and South America, the Cape of Good Hope, Africa, and every part of the world, where the English language is understood, is beyond all precedent.—*Government Gazette.*

### CURRENT VALUE OF GOVERNMENT SECURITIES.

Remittable,.....	Premium.....	19	8	4	20	0
Non-Remittable,..	ditto.....	13	6	4	13	12

### HIGH WATER AT CALCUTTA THIS DAY.

	M. M.
Morning,.....	4 21
Evening,.....	4 46

### Stations of Vessels in the River.

CALCUTTA, NOVEMBER 13, 1822.

*At Diamond Harbour.*—H. C. S. ASTELL,—LUZ, (P.) on her way to Town,—BORDELAIS, (F.) passed up.

*New Anchorage.*—H. C. Ships PRINCE REGENT, ASIA, DORSET-SHIRE, WARREN HASTINGS, MARCHIONESS OF ELV, and WINCHELSEA.

*The DANUBE,* (Amren. brig.), arrived off Calcutta on Wednesday, and LA SEINE, (F.) arrived yesterday morning.

### Vessels in the River.

*Statement of Shipping in the River Hoogly, on the 1st of November 1822.*

	Vessels	Tons.
Honorable Company's Ships,.....	5	5201
Free Traders, for Great Britain,.....	15	2467
Country Ships for ditto,.....	6	4068
Ships and Vessels employed in the Country Trade,.....	39	12063
Laid up for Sale or Freight,.....	16	7632
French Vessels,.....	8	2655
American Vessels,.....	9	2843
Portuguese Vessels,.....	5	2088
Danish Vessel,.....	1	468
Dutch Vessel,.....	1	800
Arabian Vessels,.....	9	3717
Total,.....	105	44202
Free Traders in the River, on the 1st of Nov. 1821,.....	14	6861
Ditto ditto, on the 1st of Nov. 1822,.....	15	7467
Increase,.....	1	606

### Military Arrivals and Departures.

*Weekly List of Military Arrivals at, and Departures from, the Presidency.*

*Arrivals.*—Superintending Surgeon A. Dickson, from Chunar. Major P. Phipps, Superintendent of Public Buildings, from Pooree. Captain Christie, Deputy Pay Master, from Muttra. Lieutenant F. Smallpage, 8th Light Cavalry, from Europe. Lieutenant J. Tomlinson, 2d Battalion 9th Regiment, from Lucknow. Assistant Surgeon A. Cooke, 2d Battalion 9th Regiment, from Lucknow.

*Departures.*—Major C. J. Doveton, 1st Battalion 19th, to Benares. Brevet Captain M. S. Hogg, European Regiment, to Nagpore. Lieutenant Taylor, 1st Battalion 11th, to Mhow. Lieutenant Farquharson, 2d Battalion 3d, to Agra. Lieutenant A. Ramsay, 1st Battalion 9th, to Gurrawarra. Ensign Craigie, 1st Battalion 29th, to Nagpore.

### Marriages.

On the 14th instant, at St. John's Cathedral, by the Reverend J. HAWTAYNE, A. M. TURNER MACAN, Esq. of Carriff, in the County of Armagh, Ireland, Captain in His Majesty's 16th Lancers, and Persian Interpreter to the Commander in Chief, to Miss HARRIET SNEYD, third Daughter of the Reverend W. SNEYD, New Church, Isle of Wight.

On the 26th ultimo, by the Reverend JULIUS CESAR, at the Dina-pore Chapel, Mr. GEORGE FREDERICK BOWBEAR, to Miss ELIZA FARIA.

### Births.

At Ghazepore, on the 27th ultimo, Mrs. WATSON, of a Daughter.

At Nusserabad, on the 20th of August, the Lady of Captain GODBY, of a Daughter.

### Deaths.

On the 14th instant, Mrs. ELIZABETH JONES, wife of Mr. R. E. Jones, aged 24 years, 7 months and 7 days.

On the 14th instant, Mr. C. G. MULLINS, of the Court of Requests, aged 39 years, 2 months and 5 days.

At Allahabad, on the 31st ultimo, the infant Daughter of Captain VETCH.

At Ryepoor, on the 27th ultimo, CATHERINE FLORA, the infant Daughter of Lieutenant Colonel VANS AGNEW, C. B. aged 1 year and 8 months.

At Patna, on the 24th ultimo, of the Cholera Morbus, JACOB NUREMBERG, Esq. late Major of the Marhatta Service, and ultimately a Pensioner of Government, aged 52 years and 9 months.